

Also, a bill (H. R. 23565) authorizing and directing the Secretary of War to donate to the city of Louisburg, Kans., an obsolete piece of ordnance, together with its carriage or mounting, and six cannon balls; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 23566) granting an increase of pension to Whitney C. Monson; to the Committee on Invalid Pensions.

By Mr. WEDEMEYER: A bill (H. R. 23567) granting a pension to Hannah H. Robinson; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FRANCIS: Petition of the Epworth League and the Christian Endeavor Society of the Christian Church of Shady-side, Ohio, for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union and citizens of Belmont County, Ohio, for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. FULLER: Petition of A. G. Crutchmer, post department commander, Grand Army of the Republic, of Okmulgee, Okla., favoring the passage of House bill 1339 with certain amendments; to the Committee on Invalid Pensions.

Also, petition of Rev. T. J. Wood, of Mazon, Ill., favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of Samuel Davis, of Herbert, Ill., in favor of the establishment of a parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petition of the director of the port of Boston, against passage of House bill 21969, proposing to close Panama Canal to steamship companies in which any railroad has an interest; to the Committee on Interstate and Foreign Commerce.

By Mr. PARRAN: Papers to accompany bill for the relief of William H. Cole (H. R. 23229); to the Committee on Invalid Pensions.

Also, petition of employees of the naval proving grounds at Indian Head, Md., for construction of a bridge across Matowaman Creek connecting the village of Marbury, Md., with proving grounds at Indian Head; to the Committee on Appropriations.

By Mr. REILLY: Petition of the legislative board, Brotherhood of Locomotive Engineers, Connecticut, for enactment of House bill 20487; to the Committee on the Judiciary.

By Mr. TOWNER: Petition of the Congregational Church at Shenandoah, Iowa, for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. WHITACRE: Petition of residents of Alliance, Ohio, for appropriation to enforce the white-slave traffic act; to the Committee on Appropriations.

Also, petition of the Presbytery of Mahoning of the Presbyterian Church, against repeal of the anticanteen law; to the Committee on Military Affairs.

#### SENATE.

SATURDAY, April 20, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

- Gavin E. Caukin v. United States (S. Doc. No. 576);
- Sarah A. Garetson, widow of James L. Garetson, deceased, v. United States (S. Doc. No. 577);
- Calvin Glover v. United States (S. Doc. No. 578);
- Justina Mohrstadt, widow of John C. Mohrstadt, v. United States (S. Doc. No. 579);
- William S. McGowan v. United States (S. Doc. No. 580);
- John J. Nesbit v. United States (S. Doc. No. 581);
- Eli K. Simonds v. United States (S. Doc. No. 582);
- Laura E. Stockdale, widow of Sidney A. Stockdale, deceased, v. United States (S. Doc. No. 583);

- Leonidas L. Tittle v. United States (S. Doc. No. 584);
  - Thomas J. Trice v. United States (S. Doc. No. 585);
  - William L. Johnson, son of John H. Johnson, deceased, v. United States (S. Doc. No. 586);
  - Ervin D. Linn v. United States (S. Doc. No. 587);
  - Virginia Murphy, widow of John D. Murphy, deceased, v. United States (S. Doc. No. 588);
  - George W. Thorn v. United States (S. Doc. No. 589);
  - William F. Gilluly v. United States (S. Doc. No. 590);
  - Edward Gaynor v. United States (S. Doc. No. 591);
  - Theodore Gebler v. United States (S. Doc. No. 592);
  - Lee W. Mix v. United States (S. Doc. No. 593);
  - Arthur L. Peck v. United States (S. Doc. No. 594);
  - Thomas D. Casanega v. United States (S. Doc. No. 595);
  - Joseph De Lusignan v. United States (S. Doc. No. 596);
  - Joseph H. Berger v. United States (S. Doc. No. 597); and
  - John T. Brickwood v. United States (S. Doc. No. 598).
- The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, returned to the Senate, in compliance with its request, the bill (S. 5333) to authorize the widening and extension of Spring Road N.W., and for other purposes.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 16306) to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war, and it was thereupon signed by the Vice President.

#### PETITIONS AND MEMORIALS.

Mr. SUTHERLAND presented resolutions adopted by the Ogden Good Roads Association, of Utah, favoring the enactment of legislation providing for the building of good roads throughout the country, which were referred to the Committee on Agriculture and Forestry.

Mr. SUTHERLAND. I send to the desk a letter which I ask may be read and, with the accompanying paper, ordered to lie on the table.

There being no objection, the letter was read and ordered to lie on the table, as follows:

BIRMINGHAM DIVISION, No. 186,  
ORDER RAILWAY CONDUCTORS,  
Birmingham, Ala., April 17, 1912.

Hon. GEORGE SUTHERLAND,  
Senator from Utah, Washington, D. C.

DEAR SENATOR: Having kept in close touch with the proceeding of your committee on employers' liability and workmen's compensation act since its inception, I feel that I owe you this acknowledgment, to wit: That, in my opinion, you have been fair in your efforts to solve one of the problems of the ages; and that while I do not subscribe to the maximum payment of the higher salaried employee (believing that it should be greater and the period longer for payment), yet I think your bill is a step in the right direction and we can hope to have an improvement after it has been tried out.

I have noticed the arguments that have been made for and against the bill, and also the speeches that were made before the bill was written, and in some instances it is to laugh. Being, as I am, one of the rank and file (being a freight conductor on an ore and coal run, and, by the way, this is among the hardest work on a railroad), I am amused that some men make the argument that we of the lower five are not conversant with the legislation affecting our own interests, while some outsider sees all evils in the bill and runs to save us from what would destroy us. This is a new kind of philanthropy, and it is too bad that we are so dense that we can not appreciate it.

In reference to a statement of one of the gentlemen who addressed your body, in which the insinuation was made that we were afraid that if we opposed the bill we would jeopardize our insurance in the order, I simply want to say that that gentleman knows not of what he is saying, for the members of our organization are absolutely free to express themselves as they see fit; and I want to say that I am writing this letter on my own initiative and without the knowledge of the president of our order, a man who is loved by all of the rank and file.

With best wishes for the success of your committee, I am, sir,  
Yours, very truly,

JOHN R. T. RIVES.

P. S.—I am inclosing copy of resolution to the Members of Congress from Alabama.

RIVES.

Mr. MYERS presented a memorial of sundry citizens of Geyser, Great Falls, Moore, Ringling, Columbia Falls, Lewistown, Ulica, Sweet Grass, and White Sulphur Springs, all in the State of Montana, remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Hamilton, Billings, KallsPELL, Bozeman, Helena, Deer Lodge, Great Falls,

Livingston, Roberts, Havre, Moore, Butte, Missoula, Dillon, Divide, Libby, and Red Lodge, all in the State of Montana, remonstrating against the establishment of a department of public health, which was ordered to lie on the table.

Mr. TOWNSEND presented memorials of sundry citizens of St. Joseph and Benton Harbor, in the State of Michigan, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Hillsdale, Litchfield, Reading, Pittsford, Somerset, Frontier, and Wheatland, all in the State of Michigan, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. FLETCHER presented resolutions adopted by the executive committee of the Turpentine Operators' Association, favoring the imposition of a duty upon rosins, which were referred to the Committee on Finance.

Mr. O'GORMAN presented a petition of sundry citizens of New York City, N. Y., praying for the passage of the so-called eight-hour bill, which was ordered to lie on the table.

He also presented a petition of Local Grange No. 316, Patrons of Husbandry, of Stockton, N. Y., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented a petition of sundry citizens of Leavenworth, Kans., praying for the enactment of legislation providing for the adjustment and payment of accounts of all laborers and mechanics arising under the eight-hour law, which was referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Church of the Brethren of Murdock; of members of the faculty of McPherson College, of the Young Men's Christian Association, the Young Woman's Christian Association, and of the Prohibition League, of McPherson, all in the State of Kansas, praying for the enactment of legislation to prohibit the interstate transmission of race gambling odds and bets, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Church of the Brethren of Murdock; of members of the faculty of McPherson College, of the Young Men's Christian Association, the Young Woman's Christian Association, and of the Prohibition League, of McPherson, all in the State of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquor in Government ships and buildings, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Church of the Brethren of Murdock; of members of the faculty of McPherson College, of the Young Men's Christian Association, the Young Woman's Christian Association, and of the Prohibition League, of McPherson, all in the State of Kansas, praying that an appropriation of \$25,000 be made for the enforcement of the white-slave law, which were referred to the Committee on Appropriations.

He also presented a memorial of sundry citizens of Irving, Kans., remonstrating against the establishment of a department of public health, which was ordered to lie on the table.

He also presented petitions of the congregation of the Church of the Brethren of Murdock; of members of the faculty of McPherson College, of the Young Men's Christian Association, the Young Woman's Christian Association, and of the Prohibition League, of McPherson, all in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Church of the Brethren of Murdock; of members of the faculty of McPherson College, of the Young Men's Christian Association, the Young Woman's Christian Association, and of the Prohibition League, of McPherson, all in the State of Kansas, praying for the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of the congregation of the Church of the Brethren of Murdock; of members of the faculty of McPherson College, of the Young Men's Christian Association, the Young Woman's Christian Association, and of the Prohibition League, of McPherson, all in the State of Kansas, praying for the passage of the so-called Kenyon red-light injunction bill to clean up Washington for inauguration, which were referred to the Committee on the Judiciary.

Mr. WETMORE. I present a resolution adopted by the General Assembly of the State of Rhode Island, which I ask may be read and referred to the Committee on Commerce.

The resolution was read and referred to the Committee on Commerce, as follows:

STATE OF RHODE ISLAND, ETC.,  
IN GENERAL ASSEMBLY,  
January session, A. D. 1912.

Resolution recommending to Congress the passage of House resolution No. 17731, providing for the Federal inspection of seagoing barges.

Whereas there has been introduced in the House of Representatives of the United States House bill No. 17731, providing for the Federal inspection of all seagoing barges of 100 gross tons or over, and providing for the issuance of a certificate of inspection wherever such barges are found to be suitably equipped and in proper seaworthy condition; and

Whereas the loss of life along the shores of the State of Rhode Island is much increased by the operation of unseaworthy barges, which are in many cases without lifeboats, anchors, cables, or life preservers: Therefore be it

Resolved, That the General Assembly of the State of Rhode Island heartily approves of the provisions of said bill and respectfully requests our Senators and Representatives in Congress to urge the passage of said bill, and the secretary of state is hereby instructed to send a copy of this resolution to the Senators and Representatives in Congress from Rhode Island.

STATE OF RHODE ISLAND,  
OFFICE OF THE SECRETARY OF STATE,  
Providence, April 13, 1912.

I hereby certify the foregoing to be a true copy of the original resolution approved by his excellency the governor on the 10th day of April, A. D. 1912.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid the date first above written.

[SEAL.]

J. FRED PARKER,  
Secretary of State.

Mr. WETMORE presented a memorial of Bartenders' Local Union of Providence, R. I., remonstrating against the enactment of legislation governing the granting of licenses for bar rooms in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of Local Union No. 15, Brotherhood of Painters, Decorators, and Paperhangers, of Pawtucket, R. I., praying for the enactment of legislation to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death to employees of common carriers by railroads engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes, which was ordered to lie on the table.

Mr. OVERMAN. I present a telegram in the nature of a memorial, which I ask may lie on the table and be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

NEWBERN, N. C., April 17, 1912.

Senator LEE S. OVERMAN,  
Senate Chamber, Washington, D. C.:

We object to Owen bill and such legislation because it is unnecessary, unsought by the people, and contrary to the Constitution of the United States. Please use your every power against it. It is against State rights, is it not?

MEMBERS OF THE NATIONAL LEAGUE FOR  
MEDICAL FREEDOM OF NEWBERN, N. C.

Mr. PERKINS presented a memorial of Local Grange No. 12, Patrons of Husbandry, of Sacramento, Cal., remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Grange No. 12, Patrons of Husbandry, of Sacramento, Cal., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented a petition of members of the Order of Railway Conductors, of New Haven, Conn., praying for the passage of the so-called employers' liability and workmen's compensation bill, which was ordered to lie on the table.

He also presented petitions of Emerson H. Liscum Camp, No. 12, of Waterbury; of William McKinley Camp, No. 9, of Norwalk; and of A. G. Hammond Camp, No. 5, of New Britain, all of the United Spanish War Veterans, in the State of Connecticut, praying for the enactment of legislation to pension widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection, which were referred to the Committee on Pensions.

Mr. TILLMAN presented petitions of sundry citizens of Greenwood, Trenton, Edgefield, Newberry, and Fort Lawn, all in the State of South Carolina, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Charleston, S. C., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

## REPORTS OF COMMITTEES.

Mr. SUTHERLAND, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 3975. A bill to acquire a site for a public building at Monte Vista, Colo. (Rept. No. 639);

S. 389. A bill to authorize the acquisition of a site and the erection of a Federal building at Fallon, Nev. (Rept. No. 640);

S. 6177. A bill for the purchase of a site and erection of a Federal building at Cambridge, Md. (Rept. No. 641);

S. 392. A bill to authorize the acquisition of a site and the erection of a Federal building at Winnemucca, Nev. (Rept. No. 642); and

S. 80. A bill to acquire a site for a public building at Glenwood Springs, Colo. (Rept. No. 643).

Mr. SUTHERLAND, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4479. A bill to provide for the erection of a public building at Mount Carmel, Ill. (Rept. No. 644);

S. 6095. A bill to increase the limit of cost for the erection and completion of the United States post-office and courthouse building on a site already acquired and possessed at Brattleboro, Vt. (Rept. No. 645);

S. 5962. A bill to increase the limit of cost of the addition to the site of the Federal building at Utica, N. Y. (Rept. No. 646); and

S. 6252. A bill to relinquish the title of the United States to certain property in the city and county of San Francisco, Cal. (Rept. No. 647).

Mr. McCUMBER, from the Committee on Pensions, to which was referred the bill (H. R. 18954) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 648) thereon.

## SAFETY OF VESSELS AT SEA.

Mr. LODGE. From the Committee on Foreign Relations I report back with amendments Senate resolution 284, relating to treaties with foreign nations with a view to regulating matters pertaining to vessels carrying passengers at sea. I ask for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendments were, in line 3, after the word "Governments," to strike out "with a view"; in the same line, after the word "to," to strike out "directing" and insert "regulate"; in the same line, after the word "course," to insert "and speed"; in line 5, after the words "at sea," to strike out "and, further, to confer as to all matters appertaining to the safety of such craft and passengers" and insert "to determine the number of lifeboats, rafts, searchlights, and wireless apparatus to be carried by such vessels, and to assure the use of such other equipment as shall be adequate to secure the safety of such vessels, passengers, and crew," so as to make the resolution read:

*Resolved*, That the President of the United States be, and he is hereby, advised that the Senate would favor treaties with England, France, Germany, and other maritime Governments to regulate the course and speed of all vessels engaged in the carrying of passengers at sea, to determine the number of lifeboats, rafts, searchlights, and wireless apparatus to be carried by such vessels, and to assure the use of such other equipment as shall be adequate to secure the safety of such vessels, passengers, and crews.

The amendments were agreed to.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. McCUMBER. Mr. President, this resolution is the proper, orderly, and just method of approaching the great subject that is near the heart and conscience of every American citizen and of every person in the world who knows of this catastrophe, the sinking of the ship *Titanic* and the loss of over 1,500 lives. I wish that the American people as a whole and this Senate could be as deliberate in its judgment as has been the Committee on Foreign Relations in reporting a resolution of this kind.

Yesterday, Mr. President, one of the survivors of that terrible calamity, upon a rather flimsy and uncertain report, in my opinion, was tried, convicted, sentenced, and executed in the Senate of the United States. I, as a Senator of the United States and as an American citizen, desire to register my protest against the trial of anyone connected with the operation of that ship, from the highest officer of the company to the seaman who sailed thereon, without fair, honest, and full hearing.

The Lord knows, Mr. President, that the habit of accusing and trying and condemning public men without a hearing and without a trial is bad enough, but when the feeling of the entire civilized world is wrought up to such an extent that it is eager for a victim upon whom it may expend its wrath, I say that then above all times we should hold in abeyance our judgment until we ascertain whether or not there has been any guilt established in connection with the operation of this vessel.

Mr. President, my own view is that the American people are as much to blame for this catastrophe as anyone. We of late years as a people are moved and controlled in all matters of transportation rather by the impulse and spirit of the sportsman than by the calm and sober judgment of the man of business.

We seek always to build greater vessels than some one else has constructed; we seek and encourage people to push those vessels to the very last test of endurance and speed. When the *Lusitania* was launched and made her record trip the whole country was filled with laudations and praise. We clapped our hands and cheered her achievement. There is no evidence that her equipment was any greater or any better than was that of the *Titanic*. There is no evidence that she did not take practically the same route that was taken by the *Titanic*, and if the *Titanic* had been successful for weeks we would have heard of nothing, Mr. President, but the wonderful achievement and the record that she had made.

This desire to exceed all past records, to excel everything else in speed and in size has so swerved our judgment from the ordinary in life to the one idea of excelling in everything that we forget ourselves. In the matter of aviation, while we all know that all the feats that are performed could be done from 100 to 200 feet above the surface of the earth, yet as a people we seem to demand the spectacular; that the performer shall demonstrate his ability to pass the clouds; that he shall ascend thousands of feet; and when he comes down we decorate him, and the papers are filled with laudations of the wonderful feat. Spurred on by these public testimonials, he attempts the next day to go higher, and the following day we bury a mass of flesh and we call for another victim to satiate our thirst for the spectacular. We demand the highest limit of speed and are always ready to take the chance.

So, Mr. President, it seems to me that it is most unjust to condemn anyone connected with this affair until at least there has been a hearing. I am certain—and I think every Senator will agree with me—that nearly every vessel that plies along our shores from one section of the country to the other has not sufficient lifeboats to take care of one-tenth of the people who are loaded upon those vessels, and yet there has been no condemnation whatever of those officials for their dereliction in that direction or of the laxity of our laws.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. With pleasure.

Mr. BORAH. When the Senator says the people generally are to blame for those things, I do not see precisely how he connects the people with the soaring in the air or with the fact that there were not sufficient lifeboats upon this steamer. I apprehend there was no one responsible for that in the world except the company which constructed the ship and failed to put upon her those things which seamen know were necessary for the safety of the ship.

Mr. McCUMBER. Mr. President, I do not know who is to blame. I simply will not convict without a hearing. If we create a demand that the great ships shall make the distance between Liverpool and New York in a given length of time, we who demand the ticket for that particular boat because of its size and speed, we who wish to make the trip across the ocean in the shortest time are somewhat to blame.

Mr. LODGE. Will the Senator from North Dakota allow me to interrupt him a moment?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. Certainly.

Mr. LODGE. I think there is great room for blame, but there is this to be said: The blame rests on the British law very largely, as it does on our own law, for not requiring a sufficient number of lifeboats to be carried. The *Titanic* carried all the lifeboats that the British law required; she had the board of trade's certificate of inspection; and had everything that the British law required. It may be said that she ought to have carried more than the law required, but it must be remembered that the first trouble in these things is lack of proper legislation, and the purpose of this resolution is to try by treaty to cure all these evils by international agreement.

Mr. MARTINE of New Jersey. Mr. President, may I be permitted to interrupt the Senator from North Dakota?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Jersey?

Mr. McCUMBER. I do.

Mr. MARTINE of New Jersey. I feel, Mr. President, that the passage of this resolution will tend to accomplish the result which the Senator from Massachusetts [Mr. Lodge] desires. I feel that it is sheer barbarism for us in this enlightened age to tolerate the loading of passengers on a vessel to the number of two or three thousand with only lifeboats sufficient to take care of one-fourth of them. I feel that this will be a step in the direction of humanity, and that we can well afford to press the resolution at this time.

Mr. McCUMBER. Mr. President, in the Record of yesterday we find these words, to which I object at the present stage of the investigation:

Mr. Ismay, the managing director of the White Star Line, who, in my judgment, acted in a most cowardly manner in this disaster, and to whom I think it is largely attributable.

And again:

Mr. Ismay claims, according to reports, that he took to the last lifeboat. I do not believe it, and if he did, it was cowardly for him to take to any lifeboat.

Mr. President, the most that that statement can possibly be based upon is some newspaper report; no one can vouch for the accuracy, and under the present state of excitement the probabilities are against its accuracy. In the same paper that published this statement, I find a statement from another person, a survivor, namely, Mr. Johnson, in which he says:

When J. Bruce Ismay, president of the International Mercantile Marine Co., stepped into the lifeboat, Johnson said, there were no women left on the deck.

He was forced into the boat by officers of the ship, and this was done, Johnson said, just as the boat was being lowered.

I simply place those two side by side so that no injustice may be done any person until there has been an opportunity for a fair hearing and just consideration.

Mr. President, I would sooner use my time in expressing my admiration for the courage and the bravery of the captain and of the crew and of every man who was on board that ship at that time, than to use it in condemning anyone without more substantial evidence against him. I can not help here putting into the Record the statement of Mr. Johnson when he says:

When the first signal was given to lower the boats some of the crew pressed forward. It was then that the rallying cry came through the megaphone from the bridge, "Be British, my men!" It was Capt. Smith's voice. Every man obeyed the command and faced death calmly. They knew there was no hope, and as the big, strong English seamen assisted the women and children into the boats they gave no sign that they realized that Capt. Smith's words, "Be British!" had sealed their fate. They remained at their posts and died like men.

I had rather a thousand times, Mr. President, spend a few moments here in expressing my admiration for that captain and crew, who in the face of a horrible death maintained the honor of true manhood. Surrendered their own lives for others. I would rather spend it in paying tribute to them than to be hurrying to a judgment that is as liable to be erroneous as to be true, and then wait calmly and patiently until we have some evidence before us or before a competent tribunal before the Senate of the United States should pass judgment of conviction against anyone.

The VICE PRESIDENT. Without objection, the resolution as amended is agreed to.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK of Wyoming:

A bill (S. 6441) to amend an act entitled "An act to prevent the disclosure of national-defense secrets"; to the Committee on the Judiciary.

By Mr. JONES:

A bill (S. 6442) granting an increase of pension to Henry C. Miller; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6443) granting an increase of pension to Charles Crismon (with accompanying paper); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 6444) granting a pension to Edward D. Hamrick; and

A bill (S. 6445) granting a pension to Homer McC. Summer-ville (with accompanying paper); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 6446) granting an increase of pension to Emma Sherwood (with accompanying paper); and

A bill (S. 6447) granting a pension to Conrad Hockenberger (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 6448) granting an increase of pension to Palmer Atkinson; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 6449) granting a pension to Joanna L. Dixon;

A bill (S. 6450) granting an increase of pension to Albert Sunderland (with accompanying papers);

A bill (S. 6451) granting an increase of pension to Robert Wood (with accompanying paper); and

A bill (S. 6452) granting a pension to Thomas M. Dixon (with accompanying paper); to the Committee on Pensions.

#### EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION.

Mr. BRYAN. I wish to give notice that on Wednesday next, April 24, following the routine morning business, I shall desire to address the Senate upon the bill (S. 5382) to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death, to employees of common carriers by railroad engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes.

#### SPRING ROAD NW., IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate the bill (S. 5333) to authorize the widening and extension of Spring Road NW., and for other purposes, returned from the House of Representatives in compliance with the request of the Senate.

Mr. GALLINGER. In accordance with the notice I gave I now move a reconsideration of the votes by which the bill was ordered to be read a third time and passed.

The motion to reconsider was agreed to.

Mr. GALLINGER. I move that the bill be recommitted to the Committee on the District of Columbia.

The motion was agreed to.

#### CENTRAL DISPENSARY AND EMERGENCY HOSPITAL.

Mr. GALLINGER. I have a letter from the committee on legislation of the Central Dispensary and Emergency Hospital, which deals with the questions that will be before the committee of conference in the near future. I depart from my usual custom in asking that the letter may be printed in the Record and referred to the Committee on the District of Columbia.

There being no objection, the letter was referred to the Committee on the District of Columbia and ordered to be printed in the Record, as follows:

#### CENTRAL DISPENSARY AND EMERGENCY HOSPITAL. Washington, D. C., April 12, 1912.

Hon. JACOB H. GALLINGER, United States Senate.

DEAR SIR: As the matter of hospital appropriation will probably come up for consideration at an early date, we beg to call attention again to the following facts:

The claim has been made that the Emergency Hospital is supported largely by the Government, and should therefore be under governmental control. This claim is without foundation.

The Emergency Hospital has been given no money by the Government for five years—not one cent.

During this time it has been paid for work done under contract for the Government \$65,000, and received from other sources \$84,000. This contract is made by the Board of Charities at their own figure, and they select the cases for which they pay.

The hospital received under this contract \$1.20 per day for patients treated. The actual cost of treating these patients was \$1.80 per day.

The hospital, therefore, donated to the Government 60 cents a day on each patient so treated, and this amounts to about \$20,000 for the five years.

We may say, then, in all fairness, that the Government during the past five years has given the Emergency Hospital absolutely nothing, but has been given by the hospital \$20,000.

The need for a larger and better Emergency Hospital is urgent and immediate. It is now inadequate, and the combined accommodation of all the hospitals in the city is inadequate. There are not now enough rooms and beds to meet the demand which is rapidly increasing with the growth of the city.

Such a hospital is needed not alone for the indigent, but for all classes, and not alone for citizens of Washington, but of all the United States and many foreign countries.

Nearly every prosperous citizen of the United States at some time visits the Capital of the Nation—and many distinguished foreigners. These visitors come singly and in large gatherings—national and international. They come to presidential inaugurations, congresses, political and civil gatherings and functions, in thousands and tens of thousands, and should have the protection of an emergency hospital second to none in the world. In such times of congestion many accidents occur to persons of every class.

The combined capacity of all our hospitals is often overtaxed, even under normal conditions.

The Emergency Hospital takes care of more accident cases than any other five of our institutions. Should it be abandoned, there will be an immediate overcrowding of other hospitals—disgraceful in any city, and especially so in the National Capital.

During the past winter many well-to-do patients have been treated in open wards in various hospitals, because the private rooms were all filled, and many poorer cases sent to the Washington Asylum Hospital, because the open wards were full. This accounts in part, at least, for the overcrowded condition of the Washington Asylum Hospital.

The directors of the Emergency Hospital are now offering the city a suitable hospital, modern, ample, and well equipped, if the Government will aid to the extent of \$100,000. Such a hospital, with the

ground, will cost not less than \$250,000. It is a liberal proposition on the part of the directors.

It will result in an immediate saving to the Government of \$5,000 or \$6,000 a year, and a much greater saving later. The time is rapidly coming when well-endowed voluntary hospitals all over the country will care for the indigent sick without cost to the taxpayers, except for a small class that can not be suitably treated in such hospitals.

The only hope of getting an endowed emergency hospital in this city seems to depend upon this requested appropriation. Many donations have been offered, but only on this condition.

The appropriation asked is really a loan, amply protected by existing laws, which will pay to the Government a very large and annually increasing interest.

It will surely result in increased revenue to the hospital from private rooms, donations, and legacies, all of which have been used in the past, and will be used in the future to lighten the burden of the Government in caring for indigent sick.

Very truly, yours,

WOODBURY BLAIR,  
ZAIDEN ELLIS GAFF,  
W. P. CARR,  
Committee on Legislation.

THE UNITED STATES V. THE AMERICAN TOBACCO CO.

Mr. OVERMAN. I ask of the Senate unanimous consent that the unanimous-consent order by which the bill (S. 3607) to give the right of appeal to the Supreme Court of the United States to certain organizations or persons in the suit of the United States against the American Tobacco Co. and others was made the special order for Monday next be postponed and that the bill be taken up on Saturday next under the unanimous-consent order as it appears on the calendar.

The VICE PRESIDENT. The Chair hesitates to put that request, because since the present occupant has occupied the chair the Senate has never varied a unanimous-consent agreement. It is a matter for the Senate, of course, but the Chair desires to call that fact to the attention of the Senate before putting the request.

Mr. LODGE. What is the proposition?

The VICE PRESIDENT. To modify the unanimous-consent agreement heretofore entered into regarding Senate bill 3607.

Mr. LODGE. That certainly can not be done.

Mr. OVERMAN. I thought anything could be done by unanimous consent.

Mr. LODGE. It can not be done by unanimous consent.

The VICE PRESIDENT. It has been the practice of the Senate since the present occupant of the chair has been here not to permit a modification of a unanimous-consent order.

Mr. OVERMAN. This is no modification of the order; it is only a continuance of the order until a day certain. It does not propose—

Mr. SMOOT. Mr. President, would it make any difference when the Senator who asked for the unanimous-consent agreement makes the second request? I understand the Senator from North Carolina made this request, and he is now asking that the request be modified, and he is asking unanimous consent that it be done.

Mr. OVERMAN. I think the distinction between what I ask to have done and a modification of a unanimous-consent agreement was made under a former ruling. It is not a modification of the unanimous-consent order, except in so far as it is a continuation of the unanimous-consent order until a day certain.

The VICE PRESIDENT. The Chair, of course, will put the request.

Mr. LODGE. What is the precise request?

Mr. OVERMAN. That the unanimous-consent order for the consideration of Senate bill 3607 shall be continued from Monday next until Saturday next.

The VICE PRESIDENT. The Senator from North Carolina asks unanimous consent to so modify the unanimous-consent order heretofore entered in reference to Senate bill 3607 as to read on Saturday, April 27, instead of Monday, April 22.

Mr. LODGE. Mr. President, I have never known the slightest modification of a unanimous-consent agreement. The reason is obvious. Senators who gave their consent to the unanimous-consent agreement when originally made may not be here, and if we begin to modify unanimous-consent agreements it is utterly impossible that one should ever be regarded as final and binding.

Mr. CULLOM. It would be an absolute change.

Mr. LODGE. I must object.

The VICE PRESIDENT. Objection is made.

HOOR OF MEETING MONDAY.

The VICE PRESIDENT. Morning business is closed.

Mr. GALLINGER. Mr. President, to accommodate a Senator who is greatly interested in the order of business set for Monday next and who must necessarily leave the city on that day, I move that when the Senate adjourns to-day it adjourn to meet on Monday next at 11 o'clock a. m.

The motion was agreed to.

PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. Now I move that the Senate proceed to the consideration of the bill (S. 3812) to regulate public utilities in the District of Columbia and to confer upon the Commissioners of the District of Columbia the duties and powers of a public-utilities commission.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. GALLINGER. Mr. President, when this bill was before the Senate some time ago it was practically read through, but a controversy arose as to certain sections of the bill. On my motion the bill was recommitted to the Committee on the District of Columbia. All parties in interest have been consulted and have agreed upon certain amendments; and, while I will not insist upon it, I am going to ask unanimous consent that the Senate take up for consideration the amendments now recommended without reading the bill through.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire?

Mr. GRONNA. Mr. President, I understand the request is to dispense with the reading of the bill.

Mr. GALLINGER. The bill has been practically read once.

The VICE PRESIDENT. The Chair understands the request to be to dispense with the reading for amendment and that the Senate proceed to the consideration of such amendments as are presented, those recommended by the committee to be first considered. Is there objection?

Mr. GRONNA. I object.

The VICE PRESIDENT. Objection is made. The formal reading of the bill, as the Chair recalls, was concluded on a previous occasion.

Mr. GALLINGER. It was dispensed with.

The VICE PRESIDENT. The formal reading was dispensed with. The Secretary will now read the bill for the presentation of amendments.

Mr. GALLINGER. That is right.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the District of Columbia was, on page 5, line 5, after the word "railroads," to strike out "and"; and in the same line, after the word "Company," to insert "and the Norfolk & Washington Steamboat Co., and all companies engaged in interstate traffic upon the Potomac River and Chesapeake Bay," so as to read:

The term "common carrier" when used in this act includes express companies and every corporation, street railroad corporation, company, association, joint-stock company or association, partnership, and person, their lessees, trustees, or receivers, appointed by any court whatsoever, owning, operating, controlling, or managing any agency or agencies for public use for the conveyance of persons or property within the District of Columbia for hire. Steam railroads, the Washington Terminal Co., and the Norfolk & Washington Steamboat Co., and all companies engaged in interstate traffic upon the Potomac River and Chesapeake Bay are excluded from the operation of this act, and are not included in the term "common carrier."

The amendment was agreed to.

The next amendment was, on page 9, to strike out section 3, in the following words:

Sec. 3. That every public utility doing business in the District of Columbia having tracks, conduits, subways, poles, wires, switchboards, exchanges, works, or other equipment shall, for a reasonable compensation, permit the temporary use of the same or a permanent use for a distance not exceeding 2,500 feet by any other public utility whenever public convenience and necessity require such use, and when such use will not result in a noncompensatory or irreparable injury to the owners or other users of such equipment, nor in any substantial detriment to the service to be rendered by such owners or other users: *Provided, however,* That the tracks, lines, or conduits or other facilities of any existing street railway, electric lighting company, telegraph or telephone company shall not be used or occupied by any other company or public utility unless by contract duly made between the parties interested and approved by the commission, except as hereinbefore provided. In case of failure to agree upon such use, or the conditions or compensation for such use, any public utility or any person, firm, copartnership, association, or corporation interested may apply to the commission, and if after investigation the commission shall ascertain that public convenience and necessity require such use and that it would not result in irreparable injury to the owners or other users of such equipment nor in any substantial detriment to the service to be rendered by such owners or other users of such equipment, it shall by order direct that such use be permitted and prescribe reasonable conditions and compensation for such joint use. Such use so ordered shall be permitted and such conditions and compensation so prescribed shall be the lawful conditions and compensation to be observed, followed, and paid, subject to recourse to the courts upon the complaint of any interested party, as hereinafter provided, which provisions, so far as applicable, shall apply to any action arising on such complaint so made. Any such order of the commission may be from time to time revised by the commission upon application of any interested party or upon its own motion.

And to insert in lieu thereof the following:

Sec. 3. That every public utility doing business in the District of Columbia having tracks, conduits, subways, poles, wires, switchboards, exchanges, works, or other equipment shall, for a reasonable compensation, permit the use of the same by any other public utility whenever public convenience and necessity require such use, and such use will not

result in irreparable injury to the owners or other users of such equipment, nor in any substantial detriment to the service to be rendered by such owners or other users. In case of failure to agree upon such use, or the conditions or compensation for such use, any public utility or any person, firm, copartnership, association, or corporation interested may apply to the commission, and if after investigating the commission shall ascertain that public convenience and necessity require such use and that it would not result in irreparable injury to the owners or other users of such equipment nor in any substantial detriment to the service to be rendered by such owners or other users of such equipment, it shall by order direct that such use be permitted and prescribe conditions and compensation for such joint use. Such use so ordered shall be permitted and such conditions and compensation so prescribed shall be the lawful conditions and compensation to be observed, followed, and paid, subject to recourse to the courts upon the complaint of any interested party, as hereinafter provided, which provisions, so far as applicable, shall apply to any action arising on such complaint so made. Any such order of the commission may be from time to time revised by the commission upon application of any interested party or upon its own motion.

The amendment was agreed to.

The next amendment was, on page 12, section 4, line 11, after the word "act," to insert "and with all other laws of the United States applicable," so as to read:

Sec. 4. That the commission shall have power, after hearing and notice by order in writing, to require and compel every public utility to comply with the provisions of this act, and with all other laws of the United States applicable, and any municipal ordinance or regulation relating to said public utility, and to conform to the duties upon it thereby imposed or by the provisions of its own charter, if any charter has or shall be granted it.

The amendment was agreed to.

The next amendment was, on page 13, after line 8, to strike out section 6 in the following words:

Sec. 6. That the commission shall, whenever it may deem it desirable to do so, investigate and ascertain the fair value of the property of any public utility subject to the provisions of this act and used by it for the convenience of the public. For the purpose of such investigation the commission is authorized to employ such engineers, experts, and other assistants as may be necessary. Such investigations shall be prosecuted with care and thoroughness, and the results thereof reported to the District Committees in Congress.

Every such public utility shall furnish to the commission from time to time, and as the commission may require, maps, profiles, contracts, reports of engineers and other documents, records, and papers, or copies of any and all of the same in aid of such investigation, and to determine the value of the property of such public utility used for the public service; and every such public utility is required to cooperate with the commission in the work of the valuation of its property in such further particulars and to such extent as the commission may reasonably direct. The commission shall thereafter, in like manner, keep itself informed of all extensions and improvements or other changes in the condition of the property of the said public utilities and ascertain the fair value thereof, and from time to time, as may be required for the regulation of public utilities under the provisions of this act, revise and correct its valuation of the property of such public utilities. To enable the commission to make such changes and corrections in its valuation, every public utility subject to the provisions of this act is hereby required to report currently to the commission changes in its property, and to file with the commission copies of all contracts for changes and improvements at the time same are executed.

Whenever the commission shall have completed the valuation of property of any such public utility and before such valuation shall become final, the commission shall give notice in the manner prescribed in this act for the service of copy of an order upon such public utility, to the company or companies owning or operating such property, stating the valuation placed upon the several lines of roads or classes of property of the said company used by it for the convenience of the public, and shall allow the company or companies a reasonable time in which to file a protest of same with the commission. If no protest is filed within such time, such valuation shall become final. If notice of contest is filed by any such public utility, the commission shall fix a time for hearing of the same, and shall proceed as promptly as may be possible to hear and consider any matter relative and material thereto which may be presented in support of said protest. If after hearing any contest of such valuation under the provisions of this act the commission is of the opinion that the tentative valuation is incorrect, it shall make such changes as shall make the same a fair valuation of such property and shall issue an order to make such corrected valuation final. All final valuations by the commission shall be prima facie evidence of the value of said property in proceedings had in pursuance of this act.

And insert:

Sec. 6. That the commission shall ascertain, as soon and as nearly as practicable, the amount of money expended in the construction and equipment of every public utility, including the amount of money expended to procure any right of way; also the amount of money it would require to secure the right of way, reconstruct any roadbed, track, depots, cars, conduits, subways, poles, wires, switchboards, exchanges, offices, works, storage plants, power plants, machinery, and any other property or instrument not included in the foregoing enumeration used in or useful to the business of such public utility, and to replace all the physical properties belonging to the public utility. It shall ascertain the outstanding stock, bonds, debentures, and indebtedness, and the amount, respectively, thereof, the date when issued, to whom issued, to whom sold, the price paid in cash, property, or labor therefor, what disposition was made of the proceeds, by whom the indebtedness is held, so far as ascertainable, the amount purporting to be due thereon, the floating indebtedness of the public utility, the credits due the public utility, other property on hand belonging to it, the judicial or other sales of said public utility, its property or franchises, and the amounts purporting to have been paid, and in what manner paid therefor, and the taxes paid thereon. The commission shall also ascertain the gross and net income of the public utility from all sources in detail, the amounts paid for salaries to officers and the wages paid to its employees, and the maximum hours of continuous service required of each class. Whenever the information required by this section is obtained it shall be printed in the annual report of the commission. In making

such investigation the commission may avail itself of any information in possession of any department of the Government of the United States or of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 17, after line 2, to strike out section 7 in the following words:

Sec. 7. That in making any investigation under this act the commission may avail itself of any information in possession of any department of the Government of the United States or of the Commissioners of the District of Columbia.

And insert:

Sec. 7. That the commission shall value the property of every public utility within the District of Columbia actually used and useful for the convenience of the public at the fair value thereof at the time of said valuation.

The amendment was agreed to.

The next amendment was, on page 17, after line 11, to strike out section 8, in the following words:

Sec. 8. That the commission may at any time, on its own initiative, make a revaluation of the property of any public utility.

Mr. GALLINGER. I wish to state that the section was by mistake recommended to be stricken out, and I desire to have the amendment not agreed to.

The PRESIDING OFFICER (Mr. McCUMBER in the chair). The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 18, line 10, after the word "records," to strike out "in" and insert "in"; and in line 11, after the word "Act," to strike out "The" and insert "the," so as to make the section read:

Sec. 10. That the commission shall prescribe the forms of all books, accounts, papers, and records required to be kept, and every public utility is required to keep and render its books, accounts, papers, and records accurately and faithfully in the manner and form prescribed by the commission and to comply with all directions of the commission relating to such books, accounts, papers, and records. In so far as practicable for the purposes of this act, the form prescribed shall be the form accepted by the Interstate Commerce Commission.

The amendment was agreed to.

The next amendment was, on page 19, after line 23, to strike out section 15, in the following words:

Sec. 15. That every public utility shall carry a proper and adequate depreciation account whenever the commission, after investigation, shall determine that such depreciation account can be reasonably required. The commission shall ascertain and determine what are the proper and adequate rates of depreciation of the several classes of property of each public utility. These rates shall be such as will provide the amounts required over and above the expense of maintenance to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to such rates so ascertained and determined by the commission. The commission may make changes in such rates of depreciation from time to time as it may find to be necessary. The commission shall also prescribe rules, regulations, and forms of accounts regarding such depreciation which the public utility is required to carry into effect. The commission shall provide for such depreciation in fixing the rates, tolls, and charges to be paid by the public. All moneys in this fund may be expended in new constructions, extensions, or additions to the property of such public utility, or invested, and, if invested, the income from the investments shall also be carried in the depreciation fund. This fund and the proceeds thereof shall be used for no other purpose than as provided in this section and for depreciation unless with the consent and by order of the commission.

And insert:

Sec. 15. That every public utility shall carry a proper and adequate depreciation account. The commission shall ascertain and determine what are the proper and adequate rates of depreciation of the several classes of property of each public utility. These rates shall be such as will provide the amounts required over and above the expense of maintenance to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to such rates so ascertained and determined by the commission. The commission may make changes in such rates of depreciation from time to time as it may find to be necessary. The commission shall also prescribe rules, regulations, and forms of accounts regarding such depreciation which the public utility is required to carry into effect. The commission shall provide for such depreciation in fixing the rates, tolls, and charges to be paid by the public. All moneys in this fund may be expended in keeping the property of such public utility in repair and good and serviceable condition for the use to which it is devoted, or invested, and, if invested, the income from the investments shall also be carried in the depreciation fund. This fund and the proceeds thereof shall be used for no other purpose than as provided in this section, unless with the consent and by order of the commission.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 2 on page 23.

Mr. GRONNA. I wish to ask the Senator from New Hampshire a question for information. As I understand, section 6 and section 7 provide for the physical valuation of the property, and the provisions in the new section on page 21 give the commission power to limit the rates; that is, they will be based upon the valuation fixed by the commission.

Mr. GALLINGER. Yes; that is right. There are other sections in the bill relating to the matter of rates, but that is substantially correct.

The reading of the bill was resumed.

The next amendment was, in section 18, page 23, line 4, after the word "commission," to strike out "whenever required in connection with any investigation by the commission," so as to make the section read:

Sec. 18. That each public utility shall furnish to the commission in such form and at such times as the commission shall require such accounts, reports, and information as shall show in itemized detail: Depreciation; salaries and wages; legal expenses; taxes and rentals; quantity and value of material used; receipts from residuals, by-products, services, or other sales; total and net costs; net and gross profits; dividends and interest; surplus or reserve; prices paid by consumers; and in addition such other items, whether of a nature similar to those hereinbefore enumerated or otherwise, as the commission may prescribe, in order to show completely and in detail the entire operation of the public utility in furnishing its product or service to the public.

The amendment was agreed to.

The next amendment was, in section 37, page 31, line 10, after the word "or" to insert "time and conditions of payment," so as to make the section read:

Sec. 37. That upon its own initiative or upon reasonable complaint made against any public utility that any of the rates, tolls, charges, or schedules, or services, or time and conditions of payment, or any joint rate or rates, schedules, or services, are in any respect unreasonable or unjustly discriminatory, or that any time schedule, regulation, or act whatsoever affecting or relating to the conduct of any street railway or common carrier, or the production, transmission, delivery, or furnishing of heat, light, water, or power, or any service in connection therewith, or the conveyance of any telegraph or telephone message, or any service in connection therewith, is in any respect unreasonable, insufficient, or unjustly discriminatory, or that any service is inadequate or can not be obtained, the commission may, in its discretion, proceed, with or without notice, to make such investigation as it may deem necessary or convenient. But no order affecting said rates, tolls, charges, schedules, regulations, or act complained of shall be entered by the commission without a formal hearing.

The amendment was agreed to.

The next amendment was, in section 53, page 38, line 12, after the word "forfeiture," to strike out "It shall be unlawful for any street railroad corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, or other public utility corporation, directly or indirectly, to acquire the stock or bonds of any other corporation incorporated for or engaged in the same or similar business as it is, unless authorized by existing law or as it may be authorized in writing to do so by the commission, and every contract, transfer, agreement for transfer, or assignment of any such stocks or bonds without such statutory or written authority shall be void and of no effect" and insert "It shall be unlawful for any street railroad corporation, gas corporation, electric corporation, telephone corporation, telegraph corporation, or other public utility corporation, directly or indirectly, to acquire the stock or bonds of any other corporation incorporated for or engaged in the same or similar business as it is, unless authorized in writing to do so by the commission, and every contract, transfer, agreement for transfer, or assignment of any such stock or bonds without such written authority shall be void and of no effect," so as to make the section read:

Sec. 52. That no franchise nor any right to or under any franchise to own or operate any public utility as defined in this act or to use the tracks of any street railroad shall be assigned, transferred, or leased, nor shall any contract or agreement with reference to or affecting any such franchise or right be valid or of any force or effect whatsoever unless the assignment, transfer, lease, contract, or agreement shall have been approved by the commission in writing. The permission and approval of the commission to the assignment, transfer, or lease of a franchise under this section shall not be construed to revive or validate any lapsed or invalid franchise or to enlarge or add to the powers and privileges contained in the grant of any franchise or to waive any forfeiture. It shall be unlawful for any street railroad corporation, gas corporation, electric corporation, telephone corporation, telegraph corporation, or other public utility corporation, directly or indirectly, to acquire the stock or bonds of any other corporation incorporated for or engaged in the same or similar business as it is, unless authorized in writing to do so by the commission, and every contract, transfer, agreement for transfer, or assignment of any such stock or bonds without such written authority shall be void and of no effect.

The amendment was agreed to.

The next amendment was, on page 44, after line 2, to insert as a new section the following:

Sec. 56. That if it be alleged and established in an action brought in any court for the collection of any charge for gas or electricity that a price has been demanded in excess of that fixed by the commission or by statute no recovery shall be had therein, but the fact that such excessive charges have been made shall be a complete defense to such action.

The amendment was agreed to.

The next amendment was, in section 61, on page 45, line 18, after the word "charges," to insert "time and condition of payment thereof," so as to make the section read:

Sec. 61. That all rates, tolls, charges, time and condition of payment thereof, schedules, and joint rates fixed by the commission shall be in force and shall be prima facie reasonable until finally found otherwise in an action brought for that purpose.

The amendment was agreed to.

The next amendment was, in section 63, on page 48, line 5, after the word "within," to strike out "ninety" and insert

"one hundred and twenty"; and after the word "such," at the end of line 9, to strike out "ninety" and insert "one hundred and twenty"; and in line 10, after the word "days," to strike out "unless the time for appeal has been enlarged by order of the commission," so as to make the section read:

Sec. 63. That every proceeding, action, or suit to set aside, vacate, or amend any determination or order of the commission, or to enjoin the enforcement thereof, or to prevent in any way such order or determination from becoming effective shall be commenced, and every appeal to the courts or right of recourse to the courts shall be taken or exercised, within 120 days after such order or determination shall have become effective, and the right to commence any such action, proceeding, or suit, or to take or exercise any such appeal or right of recourse to the courts shall terminate absolutely at the end of such 120 days.

The amendment was agreed to.

The next amendment was, on page 51, after line 18, to insert as a new section the following:

Sec. 73. That no public utility shall declare any stock, bond, or scrip dividend or divide the proceeds of the sale of any stock, bond, or scrip among its stockholders.

The amendment was agreed to.

The next amendment was, on page 51, after line 21, to insert as a new section the following:

Sec. 74. That no public utility shall issue any stocks, certificates of stock, bonds, or other evidences of indebtedness secured on its property in the District of Columbia for the purpose of any reorganization or consolidation in excess of the total amount of the stocks, certificates of stock, bonds, or other evidences of indebtedness then outstanding against the public utilities so reorganizing or consolidating, and no such public utility shall purchase the property of any other public utility for the purpose of effecting a consolidation until the commission shall have determined and set forth in writing that said consolidation will be in the public interest, nor until the commission shall have approved in writing the terms upon which said consolidation shall be made.

The amendment was agreed to.

The next amendment was, on page 52, after line 9, to insert as a new section the following:

Sec. 75. That no public utility shall apply the proceeds of any such stock, certificates of stock, bonds, or other evidences of indebtedness to any other purpose or issue the same on any less favorable terms than that specified in the certificate issued by the commission.

The amendment was agreed to.

The next amendment was, on page 53, after line 14, to insert as a new section the following:

Sec. 76. That all stocks, certificates of stock, bonds, and other evidences of indebtedness issued contrary to the provisions of this act shall be void.

The amendment was agreed to.

The next amendment was, on page 52, after line 17, to insert as a new section the following:

Sec. 77. That any public utility, or any agent, director, or officer thereof, who shall, directly or indirectly, issue or cause to be issued any stocks, certificates of stock, bonds, or other evidences of indebtedness contrary to the provisions of this act, or who shall apply the proceeds from the sale thereof to any purposes other than that specified in the certificate of the commission, shall forfeit and pay into the Treasury of the United States, one-half to the credit of the District of Columbia, not less than \$500 nor more than \$10,000 for each offense.

Mr. GRONNA. I move to amend the amendment by striking out, on page 53, line 1, before the word "dollars," the words "five hundred" and inserting "one thousand."

The PRESIDING OFFICER. The amendment will be stated.

Mr. GRONNA. In section 77, on page 53, line 1, before the word "dollars," it is proposed to amend the amendment of the committee by striking out "five hundred" and inserting "one thousand."

Mr. GALLINGER. Mr. President, I think that the amount provided in the committee amendment is sufficiently drastic. It was incorporated by a Senator who found a good deal of fault with the bill as it was originally introduced, and he suggested the amount that is in the amendment. The maximum penalty is very high. I do not know that it makes very much difference, but still I think the Senator should not urge that amendment. I will be glad to hear the Senator's reasons for it, however.

Mr. GRONNA. It is for the reason that the maximum is high that I think the minimum of \$500 would be too low.

Mr. GALLINGER. Well, Mr. President, I have no objection to having it read "\$1,000."

Mr. GRONNA. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed, and the Secretary read section [73] 78, as follows:

Sec. [73] 78. That each and every director, president, secretary, or other official of any such public utility who shall make any false statement to secure the issue of any stock, certificate of stock, bond, mortgage, or other evidence of indebtedness, or who shall, by false statement knowingly made, procure of the commission the making of the certificate herein provided, or issue, with knowledge of such fraud, negotiate, or cause to be negotiated, any such stock, certificate of stock, bond, mortgage, or other evidence of indebtedness in violation of this act, shall be

guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than \$500, or by imprisonment for a term of not less than one year, or by both such fine and imprisonment, in the discretion of the court.

Mr. GRONNA. I desire to offer an amendment to section 78 by striking out "five hundred," in line 14, before the word "dollars," and inserting in lieu thereof the words "one thousand," so as to read "by a fine of not less than \$1,000."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 53, line 14, before the word "dollars," it is proposed to strike out "five hundred" and insert "one thousand."

Mr. GALLINGER. Mr. President, I trust that amendment will not be agreed to. I think the penalty is quite adequate and is quite as high as in any public-utility bill in any State whose laws upon the subject I have examined.

Mr. GRONNA. Well, Mr. President, I am not offering the amendment with the idea that the fine will ever be paid by the company. I believe, if anything, it is a protection to the corporation to make the fines high, so that when they once do violate a provision of law they will not be apt to violate it again. It is for that reason that I offer the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. GRONNA]. [Putting the question.] By the sound the "ayes" seem to have it.

Mr. GALLINGER. I shall dispute that, Mr. President, and I shall have to ask for a division, even at the risk of adjourning the Senate.

Mr. SMITH of South Carolina. I ask what is the amendment, Mr. President?

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment of Mr. GRONNA.

The PRESIDING OFFICER. Without objection, the Chair will again put the question. [Putting the question.] By the sound the "noes" seem to have it.

Mr. GRONNA. I should like to have a division, and I believe I will ask for a division on that amendment.

Mr. GALLINGER. I am extremely anxious to get this bill through, and I will make a proposition to the Senator to fix the fine at \$750 in place of \$500.

Mr. GRONNA. Mr. President, I do not believe the sum I suggested is unreasonable. I do not believe that it is unreasonable to impose a fine of a thousand dollars when a public-utility corporation violates the law.

Mr. GALLINGER. Mr. President, I will go further, then, and, in my great anxiety to have this bill passed, I will agree to the amendment the Senator suggests.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, on page 55, after line 12, to strike out section 76, as follows:

Sec. 76. That if any public utility shall knowingly or willfully make or give any undue or unreasonable preference or advantage to any particular person, firm, or corporation, or shall subject any particular person, firm, or corporation to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, such public utility shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared unlawful. Any person, firm, or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$50 nor more than \$1,000 for each offense.

The amendment was agreed to.

The next amendment was, in section (77) 81, on page 56, line 2, after the word "corporation," to strike out the word "knowingly," so as to make the section read:

Sec. 81. That it shall be unlawful for any person, firm, or corporation to solicit, accept, or receive any rebate, concession, or discrimination in respect to any service in or affecting or relating to any public utility or the production, transmission, delivery, or furnishing of heat, light, water, or power, or any liquid, steam, or air, or the conveying of telegraph or telephone messages within the District of Columbia, or for any service in connection therewith whereby any such service shall, by any device whatsoever or otherwise, be rendered free or at a less rate than that named in the schedules and tariffs in force as provided in this act, or whereby any service or advantage is received other than is in this act specified. Any person, firm, or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$50 nor more than \$1,000 for each offense.

The amendment was agreed to.

Mr. GRONNA. Mr. President, on page 56, line 16, before the word "dollars," I move to strike out "fifty" and insert "two hundred."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 56, line 16, it is proposed to strike out "fifty" and insert "two hundred."

Mr. GALLINGER. I have no objection to that.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, on page 56, after line 17, to strike out section 78, as follows:

Sec. 78. That if any public utility shall knowingly or willfully do or cause to be done or permit to be done any matter, act, or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing required to be done by it, such public utility shall be liable to the person, firm, association, or corporation injured thereby in double the amount of damages sustained in consequence of such violation: *Provided*, That any recovery as in this section provided shall in no manner affect the punishment of the offender or a recovery by the United States or by the District of Columbia of the penalty prescribed for such violation.

The amendment was agreed to.

The reading of the bill was continued to the end of line 11, on page 59.

Mr. GRONNA. Mr. President, I wish to offer an amendment. On line 10, page 59, I move to strike out the word "unjustly" where it occurs before the word "discriminatory."

Mr. GALLINGER. There is no objection to the proposed amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. POMERENE. Evidently the Senator from North Dakota wants to strike out the word "or" as well.

Mr. GALLINGER. No. The word "discriminatory" follows.

The reading of the bill was resumed and continued to the end of line 22, on page 61.

Mr. STONE. Mr. President, I notice that by section 89—

The corporation counsel of the District of Columbia shall be the general counsel of the commission and shall receive from and be paid out of the appropriations provided and to be provided for the expenses of the commission in addition to his compensation otherwise provided by law the sum of \$1,000 per annum, payable in equal monthly installments.

I should like to ask the Senator in charge of the bill what is the present compensation of the corporation counsel of the District of Columbia.

Mr. GALLINGER. I will say to the Senator that it is either \$4,000 or \$4,500 a year. I have an impression it is \$4,500.

Mr. STONE. That is a pretty fair salary. Would or would not this duty come ordinarily within the range of his official duties; and, if so, why should he be paid a thousand dollars extra?

Mr. GALLINGER. The committee considered that matter very carefully and consulted with others about it, and were of the opinion that this officer ought not to be required to perform this extra and very onerous duty without some additional compensation.

The corporation counsel is a lawyer of distinction. He is a very busy man, and is hardly able to keep up with the work of his office at the present time, and the probabilities are—in fact, I may say the certainty is—that if these additional burdens are placed upon him, Congress will be asked to provide at least one additional assistant for the office to perform the duties that will be required of the corporation counsel and his assistants.

It is a very busy office, I will say to the Senator. They are very hard-worked men. There is nobody in that office who is not working to the limit of his time; and this matter was given very careful consideration. The Senator from California looked into it very carefully, as did, I think, the Senator from Ohio, and other Senators who stand high in the profession of the law, and they felt that this would not be an undue compensation to pay to this official.

Mr. STONE. Do I understand that the corporation counsel gives his entire time to the duties of the office?

Mr. GALLINGER. Absolutely so. I believe it is true—because we want to make a fair statement of the matter—that in the last year or two the corporation counsel has had something to do with one case with which he was associated some years ago, but it has been in an advisory capacity. It is, I think, stipulated by the commissioners—indeed, I know it is—that he shall give his entire time to the duties of his office, and he is giving his entire time to them.

Mr. STONE. I have great faith in the Senator from New Hampshire and in the accuracy of his statements, but I should like to ask for information if this thousand dollars provided for here is really intended as additional compensation to this corporation counsel, adding that much to his salary, or whether it is intended to enable him, because of the additional duties, to employ assistance.

Mr. GALLINGER. I will say frankly to the Senator it is intended as an addition to his salary, because there is a provision in this section whereby the corporation counsel can em-

ploy outside talent if it becomes necessary for him to do so. The appropriation in the bill is limited to \$40,000 for all purposes of the commission, and it was thought by the committee that there might be some important cases. These public utilities have very able lawyers and plenty of money and employ the very best talent, and it was thought by the committee that this was simply a fair additional salary for the corporation counsel and that he might in emergencies employ outside help.

Mr. STONE. Do I understand the purpose of the bill is to increase the salary of this officer?

Mr. GALLINGER. It will increase his salary.

Mr. STONE. Is that the purpose?

Mr. GALLINGER. That is the purpose, just as in the District of Columbia appropriation bill, if the Senator will examine it, he will find that there are several officials who have salaries fixed by law, but other duties are imposed upon them, such as being at the head of commissions, and they are given a little additional compensation.

Mr. STONE. I shall vote against this item. I do not believe in the policy of increasing the salaries or the compensation of public officials in this way. It seems to me \$4,500 a year for a city attorney or counselor is a very liberal salary. I do not know how it is in cities outside of my own State, but in St. Louis and Kansas City, one much larger than, the other almost as large as, Washington, \$4,500 for a city counselor, adviser, would be regarded as fairly good compensation.

Mr. GALLINGER. I will ask the Senator from Missouri if those officials are not permitted to practice in addition to the duties they perform for the city?

Mr. STONE. I do not know.

Mr. GALLINGER. I know that the attorney general of my State is permitted to practice in addition to representing the State.

Mr. STONE. But whether so or not—

Mr. GALLINGER. And I know that in my own little city a lawyer of certainly not any greater distinction than Mr. Thomas, the corporation counsel of the District of Columbia, recently collected a fee of \$50,000 in one case. Good lawyers are earning very large fees in these days.

Mr. STONE. That is undoubtedly true. Some lawyers are earning very large fees. I have not any doubt that there are lawyers in this body who could earn many times the salary they receive as Senators.

Mr. GALLINGER. There is no question of it.

Mr. STONE. That is true of almost every kind of public employment, but if a man sees proper to take the position, at a fairly liberal compensation, he ought to be satisfied with it, and I do not believe that the Government ought to enter into competition with private employers. I do not like it. It may be that \$4,500 is not enough. If it is not, then it ought not to be increased under any kind of subterfuge. By that I mean no disrespect at all, but it ought to be an open question of increasing the salary.

I merely wanted to say that, and I shall content myself with voting against the proposition.

Mr. GALLINGER. I am quite willing to have the matter acted upon without further discussion. Does the Senator from Missouri move to strike out the provision?

Mr. STONE. I move to strike out, beginning in line 5, page 60, the words:

And shall receive from and be paid out of the appropriations provided and to be provided for the expenses of the commission in addition to his compensation otherwise provided by law the sum of \$1,000 per annum, payable in equal monthly installments.

The amendment was rejected.

The reading of the bill was resumed and continued to the end of line 3, on page 63.

#### THE METAL SCHEDULE.

The PRESIDING OFFICER. The hour of 4 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The SECRETARY. A bill (H. R. 18642) to provide revenues, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SIMMONS. I ask unanimous consent that the bill be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the bill will be temporarily laid aside.

#### PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3812) to regulate public utilities in the District of Columbia and to confer upon the Commissioners of the District of Columbia the duties and powers of a public-utilities commission.

The reading of the bill was resumed and continued to the end of section 92, line 6, page 64.

Mr. GRONNA. On page 63, line 20, in section 92, I move to strike out the words "as it shall deem" and insert the words "which shall be deemed."

Mr. GALLINGER. I suggest to the Senator I think the word "which" is an unfortunate word in that connection. I think the Senator can reach the same result by having it read, "and give such notice to interested parties as shall be proper and reasonable."

Mr. GRONNA. That is better.

Mr. GALLINGER. I quite agree to that.

The PRESIDING OFFICER. The amendment will be stated as modified.

The SECRETARY. On page 63, line 20, before the word "shall," strike out "it"; after the word "shall," strike out the word "deem" and insert "be," so that if amended it will read:

Fourth, upon receiving such application the commission shall fix a time and place for hearing, and give such notice to interested parties as shall be proper and reasonable.

Mr. GRONNA. I understand the word "deem" is to be stricken out. That is the word I want to have stricken out.

Mr. GALLINGER. That is to be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The reading was continued to line 4, on page 66, in section 95. Mr. GALLINGER. I think in lines 1 and 2, on page 66, the words "permit or" and "license" ought to come out, so as to read:

To revoke all permits or licenses.

I move that amendment.

The amendment was agreed to.

The reading of the bill was continued. The next amendment was, on page 63, after line 21, to strike out section 93, in the following words:

SEC. 93. That a sum sufficient to carry out the provisions of this act is hereby appropriated out of the revenues of the District of Columbia and not exceeding \$40,000.

And to insert in lieu thereof as a new section, section 96, as follows:

SEC. 96. That the sum of \$40,000, or so much thereof as may be necessary, is hereby appropriated to carry out the provisions of this act, one-half out of the revenues of the District of Columbia and one-half out of any moneys in the Treasury not otherwise appropriated, and all moneys received from fines, forfeitures, and penalties shall be paid into the Treasury of the United States, one-half to the credit of the District of Columbia.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. GALLINGER. By inadvertence a section was left out of the bill, and I offer it now.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 17, after line 11, insert a section, to be known as section 8—

Mr. GALLINGER. I suggest that the section be left blank, for I think all the sections will have to be renumbered.

The SECRETARY. Insert on page 17, after line 11, as a new section the following:

SEC. —. That before final determination of such value the commission shall, after notice of not less than 30 days to the public utility, hold a public hearing as to such valuation in the manner hereinafter provided for a hearing, which provision, so far as applicable, shall apply to such hearing. The commission shall, within 10 days after such valuation is determined, serve a statement thereof upon the public utility interested, and shall file a like statement with the District committees in Congress.

The amendment was agreed to.

Mr. GALLINGER. On page 33, line 15, after the word "section," I move to strike out "39" and insert "40."

The amendment was agreed to.

Mr. GALLINGER. On page 35, line 16, after the word "section," I move to strike out "35" and insert "36."

The amendment was agreed to.

Mr. GALLINGER. On page 48, at the end of line 5, I move to strike out the words "after such order or determination shall have become effective" and to insert in lieu thereof the words "after the entry or rendition of such order or determination."

The amendment was agreed to.

Mr. GALLINGER. On page 26, lines 13 and 14, I move to strike out the word "twenty-five," and before the word "section," in line 13, to insert "the preceding," so as to read "as provided in the preceding section."

The amendment was agreed to.

Mr. GALLINGER. Those are all the amendments I have to offer.

The PRESIDING OFFICER. If there be no further amendments to be proposed to the bill as in Committee of the Whole it will be reported to the Senate:

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. GALLINGER. Before the bill passes I wish to have authority given to the clerks to renumber the sections. I want that authority to appear.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was passed.

#### COMMITTEE SERVICE.

Mr. OVERMAN was, on his own motion, excused from further service upon the Committee on the Conservation of National Resources.

Mr. SHIVELY. The junior Senator from Oregon [Mr. CHAMBERLAIN] asked me to prefer a request to the Senate that he be relieved from further service upon the Committee on Expenditures in the Interior Department.

The PRESIDING OFFICER. If there is no objection, the junior Senator from Oregon will be relieved from further service upon the committee. The Chair hears none.

Mr. SHIVELY submitted the following resolution, which was considered by unanimous consent and agreed to:

*Resolved*, That the senior Senator from Maryland [Mr. RAYNER] is hereby appointed a member of the Committee on Expenditures in the Interior Department.

#### PRESIDENTIAL PRIMARIES IN THE DISTRICT OF COLUMBIA.

Mr. BRISTOW. Mr. President, I ask that the Senate proceed to consider Senate bill 2234.

Mr. CULLOM. I think we had better not undertake to do that.

Mr. BRISTOW. We have quite a little time before us yet, and I would like to get the bill up and have it read anyway.

Mr. CULLOM. Is it a long bill?

The PRESIDING OFFICER. The Senator from Kansas asks for the consideration of a bill, which will be read by its title.

The SECRETARY. A bill (S. 2234) to provide for a primary nominating election in the District of Columbia, at which the qualified electors of the said District shall have the opportunity to vote for their first and second choice among those aspiring to be candidates of their respective political parties for President and Vice President of the United States, to elect their party delegates to their national conventions, and to elect their national committeemen.

Mr. CULLOM. In the meantime I move that the Senate proceed to the consideration of executive business.

Mr. BRISTOW. Why should we not go ahead with this bill?

Mr. CULLOM. Nearly everyone has gone away expecting that nothing would be done after the bill which has been up was passed.

Mr. BRISTOW. There has been no understanding to that effect.

Mr. CULLOM. No; no understanding, but still—

Mr. BRISTOW. Why should we not do something on the calendar? There is a calendar here full of bills and it will take some time to consider them. We are meeting at 2 o'clock, and why should we adjourn at 15 minutes past 4?

Mr. CULLOM. As far as I am concerned I do not care anything about it, but I know that a good many Senators supposed that the discussion on the bill which has just been passed would last as long as the Senate would remain in session to-day, and they have gone away under that impression.

Mr. BRISTOW. I shall not ask that the bill be passed, but I should like to have it read.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois that the Senate proceed to the consideration of executive business.

Mr. CULLOM. I will withdraw the motion.

Mr. BRISTOW. I understand the Senator from Illinois withdraws the motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. GALLINGER. Mr. President, if the Senator from Kansas only wishes to have the bill read, it is a very long bill, and I do not think I will object. But the Senator who reported the bill adversely is absent. It is true he is absent from the city. I refer to the senior Senator from Virginia [Mr. MARTIN], who is very much opposed to the bill. I know the Senator who sits on my left, the Senator from Idaho [Mr. HENRY], is likewise opposed to the bill, and would wish to be here when it is considered. I do not think the Senator from Kansas ought to unduly press it.

Mr. BRISTOW. I will not press it unduly, because I know it can be blocked very easily; but I would like to have the bill taken up, and then dispense with its formal reading and have it read for amendment if that is satisfactory, and then lay it

aside and take up other bills. I am perfectly willing that that course shall be pursued, but I want to make some progress with the bill.

Mr. GALLINGER. I think if the Senator to-day would get an order to dispense with the formal reading of the bill, and then let it go over—

Mr. BRISTOW. I am perfectly willing to do that.

Mr. GALLINGER. I suggest to the Senator to make that request.

Mr. BRISTOW. If the bill is before the Senate, I would be glad to make that request. I ask that the formal reading of the bill be dispensed with.

The PRESIDING OFFICER. The Chair will state to the Senator from Kansas that the bill is not yet before the Senate.

Mr. BRISTOW. I ask that it be laid before the Senate.

The PRESIDING OFFICER. If there is no objection, the bill will be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BRISTOW. I ask that the formal reading of the bill be dispensed with and that the bill be read for amendment.

The PRESIDING OFFICER. Without objection, the formal reading of the bill will be dispensed with. The Chair hears no objection.

Mr. BRISTOW. I ask now that the further consideration of the bill be laid aside, and I give notice that after the passage of the bill which is the special order for Monday, I shall ask the Senate to take up this bill for its consideration.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kansas is agreed to.

Mr. BACON. What request of the Senator from Kansas is agreed to?

The PRESIDING OFFICER. That the bill be temporarily laid aside.

Mr. BACON. How can it be temporarily laid aside if it is not a special order nor the unfinished business?

Mr. GALLINGER. The Senator from Kansas did not quite put it in that form. He simply gave notice that on Monday, after the special order is disposed of, he will ask the Senate to consider this bill.

Mr. BACON. That is all right. It is perfectly in order to give such a notice.

#### ESTATE OF SILAS F. BAKER.

Mr. CUMMINS. I ask unanimous consent for the consideration of the bill (S. 4456) for the relief of the estate of Silas F. Baker. I will state to the Senator from Illinois [Mr. CULLOM] that there will be no objection to the bill.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to the personal or legal representatives of the estate of Silas F. Baker, late of Keokuk, Iowa, such sum of money as has been in any manner collected from the aforesaid estate as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton v. Moore (reported in U. S. Sup. Ct. Repts., v. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF CHARLES C. BENTON AND OTHERS.

Mr. LODGE. I ask unanimous consent for the consideration of the bill (S. 4257) for the relief of the estate of Charles C. Benton and others. It is precisely similar to the bill just passed.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to the personal or legal representative of the following estates, which paid taxes in the Massachusetts internal-revenue district, namely, estates of Charles C. Benton, Mary Ann Benton, James Chisholm, George W. Chipman, Parker L. Converse, George D. Colony, Mary S. Langley, Lucretia T. True, and Anna H. Ward, such sum of money as has been in any manner collected from the aforesaid estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton against Moore (reported in U. S. Sup. Ct. Repts., v. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN RHODE ISLAND.

Mr. WETMORE. I ask unanimous consent to call up the bill (S. 268) to establish a fish-cultural station in the State of Rhode Island.

The Secretary read the bill; and there being no objection, the Senate, as in Committee on the Whole, proceeded to its consideration.

The bill was reported from the Committee on Fisheries with an amendment, to add at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill the State of Rhode Island, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

So as to make the bill read:

*Be it enacted, etc.*, That the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the establishment of a fish-cultural station, including purchase of site, construction of buildings and ponds, and equipment, at a point in the State of Rhode Island to be selected by the Secretary of Commerce and Labor: *Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, April 22, 1912, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate April 20, 1912.*

##### COLLECTOR OF INTERNAL REVENUE.

Manuel B. Otero, of New Mexico, to be collector of internal revenue for the district of New Mexico, in place of Henry P. Bardshar, the incumbent.

##### UNITED STATES ATTORNEY.

John B. Vreeland, of New Jersey, to be United States attorney for the district of New Jersey. (A reappointment, his term having expired.)

##### PROMOTION IN THE ARMY.

###### CAVALRY ARM.

Second Lieut. Reynold F. Migdalski, Twelfth Cavalry, to be first lieutenant from February 29, 1912, vice First Lieut. Alexander B. Coxe, Eighth Cavalry, promoted.

###### POSTMASTERS.

###### ALABAMA.

Henry J. Godfrey to be postmaster at Columbia, Ala., in place of Marcus T. McGriff. Incumbent's commission expired February 27, 1912.

James W. McNeill to be postmaster at Luverne, Ala., in place of James W. McNeill. Incumbent's commission expired February 27, 1912.

###### ARKANSAS.

Samuel P. Beck to be postmaster at Cabot, Ark. Office became presidential January 1, 1912.

James H. Cook to be postmaster at Ola, Ark. Office became presidential January 1, 1912.

Charles B. Eaton to be postmaster at Cotter, Ark. Office became presidential January 1, 1912.

Addison M. Hall to be postmaster at Marmaduke, Ark. Office became presidential January 1, 1912.

William H. Trimble to be postmaster at Nettleton, Ark. Office became presidential April 1, 1912.

George W. Wells to be postmaster at Imboden, Ark. Office became presidential January 1, 1912.

###### CALIFORNIA.

Edward M. Downer to be postmaster at Pinole, Cal. Office became presidential April 1, 1912.

###### COLORADO.

Walter I. Brush to be postmaster at Sterling, Colo., in place of Emma C. Burke, resigned.

###### FLORIDA.

William H. Berkstresser to be postmaster at Hawthorn, Fla. Office became presidential January 1, 1912.

###### ILLINOIS.

Dietrich H. Fleege to be postmaster at Lombard, Ill. Office became presidential January 1, 1912.

Charles C. Hamilton to be postmaster at Atwood, Ill., in place of Emory V. Hamilton, resigned.

John F. Mains to be postmaster at Stronghurst, Ill., in place of John F. Mains. Incumbent's commission expires May 20, 1912.

###### INDIANA.

Eugene F. Cummings to be postmaster at Cannelton, Ind., in place of Eugene F. Cummings. Incumbent's commission expires May 22, 1912.

###### IOWA.

Jacob Kiefer to be postmaster at Hazleton, Iowa. Office became presidential January 1, 1912.

Hiram E. Morrison to be postmaster at Seymour, Iowa, in place of Hiram E. Morrison. Incumbent's commission expires May 26, 1912.

Peter S. Narum to be postmaster at Waukon, Iowa, in place of Peter S. Narum. Incumbent's commission expires May 11, 1912.

###### KANSAS.

Fred Bartlett to be postmaster at Baxter Springs, Kans., in place of Fred Bartlett. Incumbent's commission expires May 20, 1912.

Florence Lowe to be postmaster at Turon, Kans., in place of Florence Lowe. Incumbent's commission expired January 13, 1912.

###### LOUISIANA.

E. C. Crawford to be postmaster at Gretna, La. Office became presidential January 1, 1912.

Leo Vandegaer to be postmaster at Many, La., in place of Leo Vandegaer. Incumbent's commission expired February 19, 1912.

###### MAINE.

Frank H. Lane to be postmaster at Brooks, Me. Office became presidential January 1, 1912.

Arthur W. Richardson to be postmaster at Fort Fairfield, Me., in place of John M. Thurlough, resigned.

Palmer A. Twambley to be postmaster at Kennebunk Port, Me., in place of Reuel W. Norton, resigned.

###### MARYLAND.

William H. Medford to be postmaster at Cambridge, Md., in place of Sewell M. Moore, resigned.

###### MASSACHUSETTS.

Frank O. Johnson to be postmaster at Montague, Mass. Office became presidential April 1, 1912.

###### MINNESOTA.

Lemuel S. Briggs to be postmaster at Princeton, Minn., in place of Lemuel S. Briggs. Incumbent's commission expires April 29, 1912.

###### MISSISSIPPI.

Thomas D. Hill to be postmaster at Blue Mountain, Miss., in place of Mark L. Haynie, resigned.

###### MONTANA.

Theophilus H. Symms to be postmaster at Broadview, Mont. Office became presidential April 1, 1912.

###### NEBRASKA.

Amos W. Shafer to be postmaster at Polk, Nebr. Office became presidential January 1, 1912.

Thomas J. Taylor to be postmaster at Wilber, Nebr., in place of Thomas J. Taylor. Incumbent's commission expired April 17, 1912.

###### NEW YORK.

Joseph E. Cole to be postmaster at Perry, N. Y., in place of Joseph E. Cole. Incumbent's commission expires May 22, 1912.

William G. Davry to be postmaster at Mechanicsville, N. Y., in place of William G. Davry. Incumbent's commission expired December 19, 1911.

Alexander M. Harriott to be postmaster at Rye, N. Y., in place of Alexander M. Harriott. Incumbent's commission expired January 14, 1912.

Austin Hicks to be postmaster at Great Neck, N. Y., in place of Austin Hicks. Incumbent's commission expired February 24, 1912.

Frank N. Lovejoy to be postmaster at Macedon, N. Y., in place of Frank N. Lovejoy. Incumbent's commission expires April 22, 1912.

## NORTH DAKOTA.

Charles H. Burch to be postmaster at Drake, N. Dak., in place of George Leslie, removed.

William H. Pray to be postmaster at Valley City, N. Dak., in place of William H. Pray. Incumbent's commission expires April 22, 1912.

## OHIO.

Charles H. Clark to be postmaster at Mount Sterling, Ohio, in place of Charles H. Clark. Incumbent's commission expires May 22, 1912.

William McC. Crozier to be postmaster at Cumberland, Ohio, in place of William McC. Crozier. Incumbent's commission expires May 16, 1912.

Pearl W. Hickman to be postmaster at Nelsonville, Ohio, in place of Pearl W. Hickman. Incumbent's commission expires May 16, 1912.

George H. Huston to be postmaster at Rogers, Ohio. Office became presidential January 1, 1912.

Robert H. Wiley to be postmaster at Flushing, Ohio, in place of Robert H. Wiley. Incumbent's commission expires May 16, 1912.

## OKLAHOMA.

Ira F. Baird to be postmaster at Luther, Okla., in place of Erling Sarjent, resigned.

Ellis J. Baxter to be postmaster at Hooker, Okla., in place of Addison F. Farr. Incumbent's commission expires April 28, 1912.

## PENNSYLVANIA.

Luther M. Alleman to be postmaster at Littlestown, Pa., in place of Luther M. Alleman. Incumbent's commission expired April 13, 1912.

Arthur A. Benkert to be postmaster at Morton, Pa. Office became presidential April 1, 1912.

Sarah V. Patton to be postmaster at Aliquippa, Pa., in place of Sarah V. Patton. Incumbent's commission expires April 29, 1912.

## RHODE ISLAND.

William F. Caswell to be postmaster at Jamestown, R. I., in place of William F. Caswell. Incumbent's commission expires May 19, 1912.

## SOUTH CAROLINA.

George M. Collins to be postmaster at Due West, S. C., in place of Susan E. Morton. Incumbent's commission expired February 27, 1912.

## SOUTH DAKOTA.

Frank Bowman to be postmaster at Eagle Butte, S. Dak. Office became presidential April 1, 1912.

Robert E. Grimshaw to be postmaster at Deadwood, S. Dak., in place of Robert E. Grimshaw. Incumbent's commission expires May 21, 1912.

## TENNESSEE.

O. L. Hicks to be postmaster at Newport, Tenn., in place of Jetta Lee. Incumbent's commission expired December 12, 1911.

Robert H. McNeely to be postmaster at Humboldt, Tenn., in place of Robert H. McNeely. Incumbent's commission expires May 26, 1912.

Isham A. Watson to be postmaster at Sevierville, Tenn., in place of Sallie J. Massey. Incumbent's commission expires April 28, 1912.

## WASHINGTON.

Thomas Harries to be postmaster at Renton, Wash., in place of Thomas Harries. Incumbent's commission expired April 13, 1912.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 20, 1912.*

## PROMOTIONS IN THE NAVY.

Ensign William H. O'Brien, jr., to be an ensign.  
Gunner Edwin Alberts to be a chief gunner.

## POSTMASTERS.

## ARIZONA.

Louisa Ferrall, Grand Canyon.  
Reuben S. Galusha, Ashfork.

## MISSOURI.

Frank L. Wilson, Bowling Green.

## PORTO RICO.

America Rossy, Ensenada.

## HOUSE OF REPRESENTATIVES.

SATURDAY, April 20, 1912.

The House met at 12 o'clock noon, and was called to order by the Speaker, who took the chair amid general applause.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who hast ever been our refuge and our strength, quicken every noble impulse within us, that we may control our passions, guard our lips, walk uprightly, keep our hearts free from guile and warm with brotherly love. That we may do unto others as we would be done by, and pass on our way rejoicing, and Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MEMORIAL FROM INTERNATIONAL SEAMEN'S UNION.

Mr. WILSON of Pennsylvania. Mr. Speaker, in view of the terrible disaster which recently occurred to the *Titanic*, by which a large number of lives were lost, the attention of the people has been focused upon the necessity for safeguarding travel at sea. Therefore I desire to ask unanimous consent that the memorial of the International Seamen's Union of America, prepared by their president, showing the viewpoint of those men of experience as to the necessity for and the best methods of safeguarding travel at sea, be inserted in the Record.

The SPEAKER. The gentleman from Pennsylvania [Mr. WILSON] asks unanimous consent that the memorial referred to be inserted in the Record. Is there objection?

There was no objection.

The following is the memorial above referred to:

## MEMORIAL.

*To the honorable the Senate and House of Representatives of the United States:*

On behalf of the seamen your petitioners respectfully represent that—While the existing discrimination against the seamen is permitted to continue the United States can not become a sea power; that native Americans will not become seamen; and that the differential in wage cost of operation will prevent American vessels from competing on the ocean.

First. "No person held to service or labor in one State, under the laws thereof, escaping into any other, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." (Art. IV, sec. 2, subsec. 3, Constitution.)

Under authority of this section Congress in 1791 passed the law giving to the ship power to enforce contracts made with seamen upon the seamen's body. This law—the fugitive-sailor law—in 1793 served as a model for the fugitive-slave law.

Under authority, presumably, of this section the United States entered into treaties with foreign nations for mutual arrest, detention, and delivery of deserted seamen to their vessels.

In 1865 the following amendment to the Constitution was adopted: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction." (Thirteenth amendment, Constitution.)

In 1867 the statutes were revised, and all compulsory labor, except as applicable to seamen, was stricken out, and in 1872 the laws compelling seamen to labor for a private person were made more drastic.

Under the treaties with foreign nations and these laws seamen, having signed contracts to labor in countries having a lower standard of living life and a lower wages, were forcibly compelled to continue to labor within the jurisdiction of the United States.

This produced a difference in the wage cost of operating vessels taking cargoes from ports of the United States, the difference being all in favor of the foreign vessel and sufficient in amount to gradually drive domestic vessels from the ocean. (Testimony, Merchant Marine Commission.)

In 1896 the seamen, believing that they came within the protection of the thirteenth amendment, took this question to the Supreme Court, but in *Robertson v. Baldwin* (165 U. S., p. 275) the court held that the thirteenth amendment had no application to seamen, Justice Harlan filing an elaborate dissenting opinion, which resulted in abolishing the involuntary servitude of seamen in the domestic trade. (Act Dec. 21, 1898.)

In 1911 the Supreme Court again had occasion to construe the thirteenth amendment. In the case of *Bally v. State of Alabama* (219 U. S., p. 219) the court decided (we quote from the syllabus):

"While its immediate concern was African slavery, the thirteenth amendment was a charter of universal freedom for all persons of whatever race, color, or estate under the flag;" and

"The words 'involuntary servitude' have a larger meaning than slavery, and the thirteenth amendment prohibited all control by coercion of the personal service of one man for the benefit of another."

We respectfully submit that we are persons and that we are within and subject to the jurisdiction of the United States; and

That Congress should now repeal all laws and abrogate all treaties under which we are subject to arrest, detention, and delivery to any man in order that he may compel us to labor for his benefit.

Second. Hon. WILLIAM B. WILSON, of Pennsylvania, has introduced a bill, H. R. 11372. This bill is described in the following letter to the chairman of the Committee on the Merchant Marine and Fisheries, to whom the bill was referred:

WASHINGTON, D. C., March 4, 1912.

MR. JOSHUA W. ALEXANDER, M. C.,  
Chairman Committee on the Merchant Marine and Fisheries,  
House of Representatives, Washington, D. C.

DEAR SIR: You suggested, at the last hearing but one, that we should take up the bill H. R. 11372 section by section, and we tried to do so

you requested, but may have used too many words. We shall try to write such analysis herein and shall try to be as brief as we possibly can. The references made will be either to Senate Document 379, second session Sixty-first Congress, or to the navigation laws.

Section 1 amends present law by regulating the hours of labor at sea, by dividing the sailors into at least two and the firemen into three watches. (This is statute law of France and Germany—see pp. 19 and 23, Senate document; it is custom in England and custom protected by law in Norway—see p. 27, same document.) In port, by establishing a legal nine-hour day, excepting on Sundays and legal holidays when no unnecessary work shall be required. (This is, in substance, the laws of France, Germany, Norway—see pp. 19, 23, and 28, S. Doc.)

Section 2 amends present law by increasing the penalty for its violation.

Section 3 amends present law by striking out the following: "unless the contrary be expressly stipulated in the contract" and inserting in its place as follows: "and all stipulations to the contrary shall be held as void." Objections having been raised to this amendment that it would impose an unreasonable burden upon vessels that run regular passenger routes and are continually going into ports, the following exception was inserted: "within 48 hours after demand therefor."

The section thus amended is made applicable to seamen on foreign vessels while in American harbors, and the whole section becomes part of the means used to equalize the cost of operation of all vessels taking cargo out of any American port.

Section 4 amends existing law, dealing with survey in any foreign port, to what the law now is upon the same subject in a domestic port. (See R. S., 4556, p. 98, Navigation Laws.)

Section 5 amends existing law by striking out "not less than 72 cubic feet and not less than 12 square feet" and inserting "not less than 100 cubic feet and not less than 16 square feet."

This is now the law of England, France, Germany, and Norway (see pp. 15, 20, 24, and 31, S. Doc.), and by providing opportunity for cleanliness (French, German, and Norwegian law, pp. 20, 25, and 31, S. Doc.).

Section 6 amends existing law relating to discipline at sea and personal freedom in a foreign port in the foreign trade by making the penalty for breaches of discipline at sea the same, regardless of the port to which the vessels may come, and by extending the law in the domestic trade to all American vessels in ports of the foreign trade and to foreign seamen on foreign vessels while in American ports.

This is not patterned upon any law of any foreign country except partially England. It is part of the means to equalize cost of operation; it has worked well in coastwise trade.

Section 7 amends existing law by striking out the words "reclaim deserters." This brings the section into harmony with other parts of existing law as amended.

Section 8 amends the existing law by extending a penalty for violation, so that it will apply to the vessel as well as to the master, who is usually execution proof in the place where the suit is brought, if not entirely so.

Section 9 amends existing law by slightly increasing the minimum allowance of water and butter.

Section 10 amends existing law by extending the law dealing with advances and allotments now in operation in the domestic trade to all American vessels in any trade and to foreign vessels while in American ports (see p. 35, S. Doc., under heading "Crimping"), also by reinserting in the law the following: "any remuneration for the shipment of seamen." (See same reference and also hearings before 54th Cong., Committee Merchant Marine and Fisheries.)

Section 11 amends the law of December 21, 1898, so that all of its provisions will apply to whaling or fishing vessels. This law, which was passed for the better protection of seamen has by special act been made applicable to oyster vessels, and the men in the whaling and fishing vessels in the Arctic need it as much as anybody.

Section 12 amends existing law by extending the provision which prohibits the attachment of a seaman's wages to fishermen on deep-sea fishing vessels.

Section 13 is new to American maritime law. It proposes a standard of skill in the able seaman of three years on deck at sea or on the Great Lakes in 75 per cent of the deck crew, exclusive of licensed officers, and, further, that 75 per cent of the crew in each department thereof shall know sufficient of the language of the officers to understand orders given on shipboard.

This is in accord with the decision rendered by the Circuit Court of Appeals for the Ninth Judicial District in the case *In re Pacific Mail Steamship Co.*, volume 64, page 410. A writ of certiorari to the Supreme Court was prayed for and was, on November 7, 1904, refused. It is substantially the law of Great Britain (see p. 15), the law of Germany (see p. 23), and with the opinions of the best authorities on maritime matters (see standard of skill and manning, pp. 36, 37, and 38, S. Doc.), it will further prevent European vessels from bringing Asiatic crews to our ports (the evil of which see in pp. 40 and 41, S. Doc.).

Section 14 is new, and provides means by which a native personnel may be created.

Section 15 is new and seeks to stop wanton waste of life and property inseparable from the present system of towing barges.

Section 16 is new and is designed to prevent towing of log rafts through the open sea, where they, when loose from their towboat, become the greatest menace to life and property at sea.

Section 17 amends the existing law and treaties in force so as to allow seamen on foreign vessels to leave their vessels in any port of the United States.

It abolishes the fugitive slave law, which when the laws were amended to correspond with the thirteenth amendment, were left upon the seamen, and, together with sections 3, 5, 6, and 13 of this bill, it will, when enacted, do what has been sought for during these last 40 years or more, namely, equalize the cost of operation in vessels taking cargoes out of ports of the United States.

Seamen's wages depend upon the port and the trade, not upon the flag, and by permitting the seamen to leave in our ports and to reship under the same laws that govern shipment in domestic vessels, the foreign vessels must cease to bring men whom they can not take away, except as passengers, and they will be compelled to pay not only to their sailors and firemen but to their officers the same wages that are current in that particular port.

We have labored with the public and with Members of Congress for about 20 years to bring about these changes in the maritime law. From time to time some of it passed the House and failed in the Senate, some passed the Senate and failed in the House. We have called attention to the fact that native Americans are shunning the sea because of conditions under which we are compelled to live and labor. We have so far failed, because our voice is feeble and our opponents are

strong. The voice of the bondman is silenced or overcome by the voice of the master unless those that listen have an ear attuned to the voice of the bondman and a conscience that compels action. It may be the duty of the statesman to listen to conscience only when material interests are thereby served; if so, there is in this measure sufficient of material interest to quicken the conscience, because in this bill are the means of doing without cost to our people what very many have been willing to expend millions of dollars per year to accomplish, and the more complete and humane the law is made the more effective it will be. The employers who oppose this bill secretly urge that its passage will put the employers at the mercy of the unions of seamen; they would have you believe that herein is the real purpose and danger of passing this measure. The bill leaves to the employer the entire seafaring population of the world, regardless of race or nationality, from which to draw their seamen, insisting only upon the necessary skill and knowledge of language spoken by the officers of vessels. The fear of union domination, if honest is without justification.

Hoping and trusting that the bill may be speedily reported out of committee and passed through the House so that it may have time to pass the Senate at an early date, we beg to remain,

Very respectfully, yours,

ANDREW FURUSETH,

President International Seamen's Union of America.

PATRICK FLYNN,

First Vice President, Representing the Marine Firemen.

Third. We believe that the passage of this bill will gradually equalize the wage-cost operating vessels under foreign and American flags if sailing from any American port. Our reason for our belief is set forth in the following memorandum, which was submitted to the President of the United States on March 25, 1912:

To the PRESIDENT.

Mr. PRESIDENT: In the name of the seamen of the United States we respectfully represent that—

Wages of seamen are determined by supply and demand.

It is the same to all vessels in the same port and trade.

The flag makes no difference unless the law under that flag permits less qualified men to be engaged.

American vessels shipping their men in foreign parts pay the same wage as all other vessels shipping their men there.

Foreign vessels shipping men in American ports pay the same wage as American vessels hiring men at such ports and engaged in the same or similar trade.

Wages of seamen are higher in American ports than in any others excepting Australia and New Zealand.

Wages of seamen are only slightly responsive to the standard of living, because seamen are compelled to sign term contracts to labor, contracts enforceable by imprisonment.

Seamen on American vessels are free to leave their vessels in any domestic port or in any port in a near-by foreign country; the result is that seamen on American vessels engaged in the domestic trade are paid wages and given conditions more nearly conforming to the American standard of living than those engaged in the oversea trade.

Under treaties with foreign nations and section 5280, Revised Statutes, seamen on foreign vessels must remain with the vessels in American ports. Deserters are upon demand of foreign nations pursued, captured, detained, and delivered to their vessels.

Being by help of American authority able to retain its cheap crew on leaving the American port with a cargo of American products, the foreign vessel's operating expenses are so much less than the operating expenses of the American vessel that the American vessel has been and is being driven from the field.

To equalize the wage cost of operation:

1. Repeal section 5280, Revised Statutes, and amend the treaties so that seamen on foreign vessels will have the same right to abandon their vessel in an American port, that is now enjoyed by seamen on an American vessel in the same port. (The inevitable result will be an equalization of wages.)

2. Adopt a standard of individual efficiency such as is already adopted by several nations and recommended by commissions in others, such standard to be applicable not only to American vessels but also to foreign vessels when within the jurisdiction of our laws. (This is now done by Great Britain.)

3. Such standard of efficiency in the crew was judicially determined by the United States Court of Appeals for the Ninth Judicial District in the case of *In re Pacific Mail Steamship Co.*, volume 64, page 410—and later sustained by the Supreme Court of the United States—when it was held that the owners were not entitled to limited liability because: "The ship was insufficiently manned, for the reason that the sailors were unable to understand and execute the orders made imperative by the exigency that unhappily arose and resulted so disastrously to life as well as to property."

4. Foreign vessels shipping men in ports of the United States should hire them under the same law and conditions as American vessels.

Treaties under which seamen are captured and delivered back to the service of their vessels are of great advantage to nations with a low standard of living and shipping their seamen in their own ports; they are of corresponding disadvantage to nations with a high standard, and especially so to the United States.

The remedy is: Set the seamen free and thus equalize the wage. The wages from the American port will be the same to all nations' vessels, whether American or foreign; but it will have a still more far-reaching result than even this, because the delay to which vessels will be subject, on account of men reshipping at the wages of the port, will cause the vessels to pay the wages and to carry the kind of men demanded by the laws and conditions of such ports.

The equalization will be complete; the foreign vessels will be paying the difference; no American interest will be hurt; but a condition will be created which will induce American capital to invest in an American merchant marine.

H. R. 11372, introduced by Mr. WILSON of Pennsylvania, provides for these changes in our, in these respects, truly antiquated navigation laws.

Pass this bill and the equal of a great subsidy will have been given to American shipping and conditions will gradually so change that the American will again seek the sea and there will be no difficulty in getting the right kind of men for the American Navy.

Respectfully submitted.

ANDREW FURUSETH, President.

PATRICK FLYNN, First Vice President.

International Seamen's Union of America.

MARCH 25, 1912.

Fourth. The gradually diminishing skill of men employed on steamers is dangerous to life and property at sea; altered conditions have

changed the risk and liability of the shipowner; it has been shifted to the public. On this question we submit the following memorandum, which was submitted to the majority members of the subcommittee:

APRIL 5, 1912.

To members Committee on the Merchant Marine and Fisheries:

GENTLEMEN: Speaking for the seamen, we respectfully represent that: Many years ago the shipowner was responsible to the traveling public for any failure to provide either an efficient crew or a proper vessel, any failure resulting in loss of life, health, or limb of the traveler was subject to damages which might bankrupt the shipowner. Limited liability has changed this. (See pp. 108, 109, 110, 111, and 137 of navigation laws.)

The shipowner was liable to the charterer for the freight or its value.

Limited liability has changed that. The owner might lose his all by the loss of the vessel. A carefully worked out system of insurance has abolished that. When the shipowner was liable to lose his all his self-interest was sufficient to cause him to have a staunch vessel and an efficient crew. Protection from loss through limited liability or insurance altered that. All this, or at least part of it, has been recognized by the enactment of laws compelling vessels to be well built and properly equipped. It was found that the shipowner evaded those laws or simply disregarded them, and that life and property was not safe in his keeping; therefore the Government went to the expense of establishing an inspection service.

Laws had to be made penalizing the inspectors, because they could be, and they were, corrupted.

It was found that because there was no special standard provided below which the vessel and her equipment must not be, in order to pass, there could be no conviction of either the owner or the inspector.

Special standards were adopted for the vessel, for her steering gear, her machinery, her boilers, her stairways, her paint lockers, her fire-extinguishing apparatus, her life belts, her life buoys, her davits, her boats and their equipment. All these had to be of a definite standard and a specific number before the steamer was or is permitted to navigate.

All this was necessary because the shipowner could not be trusted to provide these things. Inspectors had to be given a definite standard to go by in their inspection, and had to be penalized because they were subject to be corrupted. By whom?

And yet there is no standard of efficiency required in the men who are to use all these appliances.

The shipowner may take his vessel to sea with a crew not one of whom has any experience or can understand the orders given.

Why all this care about the vessel, her equipment, and tools for saving life and property and this total disregard of whether there are men to use them?

If the self-interest of the shipowner was and is not sufficient to cause him to furnish the appliances and the tools for saving life at sea, why is it sufficient to cause him to find and employ efficient men?

If the shipowner will not furnish the proper appliances, if he can not be trusted to do this, why can he be trusted to furnish the proper men? Maritime nations are beginning to understand and are making rules for the kind of men and in some instances the number.

In some instances, as in ours here in these United States, we give the inspection service power to regulate the number, but prescribe no qualifications in the individual, utterly forgetting that the number is not as important as the qualifications. We say this vessel must have so many men—we count them and all is well. They may be landmen who never were at sea before; they may be seamen, but without any understanding of the language of the officers, or they may be landmen who do not understand what the officers say—in other words, they may be no different from other passengers.

Will you permit this to continue now, when you know all this? The English commission reported against these things in 1896. You have the report.

The Norwegian commission reported against it in 1909. The report is with you and the most important part translated by the Bureau of Labor.

There is a law regulating these matters in New Zealand. You have this law.

The Commonwealth of Australia is considering the same kind of law introduced by the Government, and the law must pass or the Government must step out. You have this information.

Great Britain has rules, having the force of law, that to some extent regulate the manning of not only their own but foreign vessels when within the jurisdiction of her laws.

Germany has some pretty effective rules on this subject. You have the translation of those rules.

The United States Senate adopted an amendment to a House bill in 1905, after the *Stocum* disaster; it was never permitted to come before the House or you would not now be considering this particular question. You have that amendment.

Some shipowners are protesting. They claim that their self-interest is sufficient to guarantee proper men being employed. If they are to be believed, why expend the people's money on an inspection service?

Should there not be some definite standard of skill?

Should not this standard be set by the Government—that is, by law? Is it safe to leave it to either of the contending parties?

Respectfully submitted.

ANDREW FURSETH, *President*,  
PATRICK FLYNN, *First Vice President*,  
*International Seamen's Union of America.*

SPEAKER PRO TEMPORE AT SUNDAY SESSION.

The SPEAKER. The Chair designates the gentleman from Kansas [Mr. NEELEY] to preside at the memorial service for the late Representative MITCHELL to-morrow.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 20190. An act to extend the time for the construction of a dam across Rock River, Ill.; and

H. R. 16306. An act to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5428. An act to amend section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909;

S. 5548. An act authorizing the Secretary of the Interior to convey a certain tract of land to the Minnesota & Manitoba Railroad Co.;

S. 4663. An act granting to the Washington-Oregon Corporation a right for an electric railroad, and for telephone, telegraph, and electric-transmission lines across the Vancouver Military Reservation, in the State of Washington;

S. 5545. An act providing for the issuing of patent to entrymen for homesteads upon reclamation projects;

S. 6354. An act to perpetuate and preserve Fort McHenry and the grounds connected therewith as a Government reservation under the control of the Secretary of War and to authorize its partial use as a museum of historic relics;

S. 5309. An act to amend section 3 of the act of Congress approved May 14, 1880 (21 Stat. L., p. 140);

S. 3925. An act providing for an increase of salary of the United States marshal for the district of Nevada;

S. 5668. An act to provide for the purchase of a site and the erection of a public building thereon at Cape Charles, in the State of Virginia;

S. 2346. An act to establish a fish-cultural station in the State of Florida;

S. 4599. An act for the relief of Frederick Beckstein and others;

S. 4930. An act to carry into effect the provisions of a convention for the unification to certain rules with respect to assistance and salvage at sea; and

S. J. Res. 97. Joint resolution authorizing the Fifteenth International Congress on Hygiene and Demography to occupy temporary structures erected by the American Red Cross and to erect temporary structures in Potomac Park, Washington, D. C.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 16101. An act providing for patents to homesteads on the ceded portion of the Wind River Reservation in Wyoming.

The message also announced that the Senate had passed with amendments the bill (H. R. 18336) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5428. An act to amend section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909; to the Committee on the Public Lands.

S. 5548. An act authorizing the Secretary of the Interior to convey a certain tract of land to the Minnesota & Manitoba Railroad Co.; to the Committee on the Public Lands.

S. 4663. An act granting to the Washington-Oregon Corporation a right for an electric railroad, and for telephone, telegraph, and electric-transmission lines across the Vancouver Military Reservation, in the State of Washington; to the Committee on Military Affairs.

S. 5545. An act providing for the issuing of patent to entrymen for homesteads upon reclamation projects; to the Committee on Irrigation of Arid Lands.

S. 6354. An act to perpetuate and preserve Fort McHenry and the grounds connected therewith as a Government reservation under the control of the Secretary of War and to authorize its partial use as a museum of historic relics; to the Committee on Military Affairs.

S. 5309. An act to amend section 3 of the act of Congress approved May 14, 1880 (21 Stat. L., p. 140); to the Committee on the Public Lands.

S. 3925. An act providing for an increase of salary of the United States marshal for the district of Nevada; to the Committee on the Judiciary.

S. 5668. An act to provide for the purchase of a site and the erection of a public building thereon at Cape Charles, in the State of Virginia; to the Committee on Public Buildings and Grounds.

S. 2346. An act to establish a fish-cultural station in the State of Florida; to the Committee on the Merchant Marine and Fisheries.

S. 4599. An act for the relief of Frederick Beckstein and others; to the Committee on Claims.

S. J. Res. 97. Joint resolution authorizing the Fifteenth International Congress on Hygiene and Demography to occupy temporary structures erected by the American Red Cross and to erect temporary structures in Potomac Park, Washington, D. C.; to the Committee on Public Buildings and Grounds.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. HENRY of Texas. Mr. Speaker, I desire to submit the following resolution from the Committee on Rules.

The SPEAKER. The gentleman from Texas [Mr. HENRY] submits the following privileged resolution from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 498 (H. Rept. 581).

*Resolved*, That immediately upon the adoption of this resolution the House shall proceed to consider the bill (H. R. 23349) entitled "A bill providing for the publicity of contributions and expenditures for the purpose of influencing or securing the nomination of candidates for the offices of President and Vice President of the United States," and at the end of two hours a vote shall be taken on all pending amendments and on the bill to final passage.

Mr. MANN. Mr. Speaker—

The SPEAKER. Does the gentleman from Texas [Mr. HENRY] yield to the gentleman from Illinois [Mr. MANN]?

Mr. HENRY of Texas. For a question.

Mr. MANN. Is it the purpose, according to the form of the resolution, to consider that bill to-day and cut out the debate on the Post Office appropriation bill?

Mr. HENRY of Texas. It is the purpose to consider that bill to-day. This will not cut out the consideration of the Post Office appropriation bill only so far as we occupy time prior thereto. It will only postpone it.

Mr. MANN. I will say to the gentleman that I have not examined the bill yet, not supposing it would come up so soon, although the bill has been reported. I had supposed that under the rule that was adopted Thursday we would proceed with the Post Office bill.

Mr. HENRY of Texas. The rule this morning provides for two hours' general debate, and the gentleman will have time in the meantime to examine it. It is a very short bill—H. R. 23349—and it is very important to get it up at this time.

Mr. UNDERWOOD. If the gentleman from Texas [Mr. HENRY] will yield, I will say to the gentleman from Illinois that the Congress has already adopted the plan of publicity of campaign funds for Members of Congress and Senators. This is merely an extension of what is already the law to the candidates for nomination to the Presidency. It is a bill of no great length. As a matter of fact, as the policy has already been agreed to by both sides of the House, it does not seem to me there can be much contention over a proposition to merely extend the present law—

Mr. MANN. There would probably not.

Mr. UNDERWOOD (continuing). To other candidates in national political fields.

Mr. MANN. Still, as a matter of practice in the House it is only fair to Members of the House that they have some idea as to when bills could be called up. The House having passed the rule on Thursday providing that immediately on the passage of that rule the House should proceed to five hours' general debate on the Post Office bill, I think that Members have the right to assume that that rule would be in force and not a new rule brought in to take its place.

Mr. UNDERWOOD. I will say to the gentleman that if it is the purpose of this Congress to have the campaign expenditures in the present contest published it will be necessary to take action at an early date or most of the expenditures will have been made and the campaign will be practically over.

Mr. MANN. That is probably true. That was true also on Thursday before the other rule was brought into the House. The publicity bill had then been reported to the House.

Mr. HENRY of Texas. Mr. Speaker, it was well understood that this resolution would be brought up to-day.

Mr. MANN. Understood by whom?

Mr. HENRY of Texas. By the Committee on Rules; by the gentleman's colleagues on the committee.

Mr. MANN. That does not make any difference. Here we have a rule presented to the House on Thursday, passed by the House, providing that immediately upon the adoption of the rule we should do one thing. Now the gentleman introduces and proposes another rule to do the contrary thing, although both bills were then on the calendar. It is not fair to the Members of the House.

Mr. HENRY of Texas. Mr. Speaker, the other rule was simply a continuing order, and the five hours' debate was to be taken up when the House resolved itself again into Committee of the Whole House on the state of the Union to further consider the Post Office appropriation bill, and this simply postpones that.

Mr. MANN. Mr. Speaker, if the gentleman will permit me, I will read a part of the rule that we adopted on Thursday:

And on the other subjects included in this resolution there shall be five hours of general debate, to follow immediately on the adoption of this resolution—

Mr. HENRY of Texas. When the House is again in Committee of the Whole House on the state of the Union for the purpose of considering the Post Office appropriation bill.

Mr. MANN. Nothing was said about that.

Mr. HENRY of Texas. If not, this rule could supersede it to that extent. But there was no such idea on the part of the committee, because it was not necessary. It simply postponed the consideration of the Post Office appropriation bill for two hours in order to take up this matter. There is no objection to it on this side and there should be none on that.

Mr. MANN. If we find a rule brought in to do something which was not intended to be done, it seems to me the House ought to have the opportunity to scan the different provisions of the bill to see whether they are in favor of the policy or not.

Mr. HENRY of Texas. Well, there is no question of unfairness about it. You ought to be willing to meet this question of publicity now.

Mr. MANN. I am always willing to meet the question of publicity.

Mr. HENRY of Texas. Yesterday nobody was against considering a claims bill.

Mr. MANN. You could not consider a claims bill yesterday. A gentleman who frames rules should say what the facts are.

Mr. HENRY of Texas. It was not intended, Mr. Speaker, that it should be interfered with.

Mr. MANN. The gentleman should frame his rule according to what he wants to say.

Mr. HENRY of Texas. I think we have done so.

Mr. MANN. When the gentleman said "immediately," I supposed that meant immediately.

Mr. PAYNE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Will the gentleman from Texas yield to the gentleman from New York?

Mr. HENRY of Texas. I do.

Mr. PAYNE. I do not know anything about the terms of this bill. I assume the chairman of the Committee on Rules does know about it. I would like to ask him whether anyone is required to file a statement except the candidates themselves?

Mr. HENRY of Texas. It does not say the candidates themselves, but all the committees or any person representing them. I think it reaches the difficulty.

The SPEAKER. The Chair thinks that this proposed rule would simply suspend the rule passed the other day pro tanto, and if that rule that was passed the other day had been literally construed it would have been the duty of the House to have resolved itself into Committee of the Whole House on the state of the Union immediately after the passage of that rule the other day, and to have gone into that 15 hours' debate. That is what the word "immediately" means. As a matter of fact, the Chair consulted with the gentleman from Tennessee [Mr. MOON] about that rule after it was passed, and we both concluded that it did not mean any such thing as that at 6 o'clock in the evening the House should resolve itself into Committee of the Whole House on the state of the Union to discuss the Post Office appropriation bill. The Chair holds that the gentleman from Texas [Mr. HENRY] is in order.

Mr. MANN. I do not make a point of order on the matter, Mr. Speaker. Of course, the House has the right to make its rules, but the Members of the House, supposing, as they had the right to suppose, that this day would be devoted to general debate on that bill, are very generously absent from the Chamber, and it is not fairness to the House.

Mr. HENRY of Texas. Mr. Speaker, I had moved the previous question.

The SPEAKER. The gentleman from Texas [Mr. HENRY] moves the previous question.

The previous question was ordered.

The SPEAKER. There will be 20 minutes debate on a side.

Mr. HENRY of Texas. It seems to me we have already had debate, and that all debate is exhausted—the debate between the gentleman from Illinois [Mr. MANN] and myself.

The SPEAKER. The Chair is of opinion that a fair construction would construe that into a debate. The question is on the adoption of the resolution.

The question was taken, and the resolution was agreed to.

CONDOLENCE OF THE CUBAN REPUBLIC RESPECTING THE "TITANIC" DISASTER.

The SPEAKER laid before the House the following communication from the President of the Cuban Senate:

CUBAN GOVERNMENT, Habana, April 19, 1912.

To the Speaker of the House of Representatives,  
Washington, D. C.:

The Senate of the Republic of Cuba in session held yesterday resolved unanimously to express its condolence through the House of Representatives to the people of the United States of America for the loss of life in the terrible disaster of the steamship *Titanic*.

DR. ANTONIO GONZALEZ PEREZ,  
President of the Senate.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The SPEAKER. The gentleman from Texas [Mr. HENRY] has one hour and the gentleman from Pennsylvania [Mr. DALLZELL] an hour.

Mr. MANN. The gentleman from Texas [Mr. HENRY] may be entitled to an hour if he gets recognition. The Speaker can not yet declare who will have the floor.

The SPEAKER. The Chair was not listening very closely to the rule, but he understood that the rule provided for that.

Mr. HENRY of Texas. Mr. Speaker, I assumed that I would be recognized for an hour and the gentleman from Illinois [Mr. MANN] for an hour.

Mr. MANN. I should assume that the chairman of the committee which reported the bill would be entitled to an hour under the rule of the House and that the ranking Member of the minority on the committee would be entitled to the other hour.

Mr. HENRY of Texas. That would be true if I had not been seeking recognition, and thought I was recognized. Of course I have no objection to the gentleman from Missouri [Mr. RUCKER] controlling the time, and ask that he control the time on this side, and that the gentleman from Illinois [Mr. MANN] control the time on the other side.

Mr. MANN. Whoever gets the floor is entitled to an hour—on either side. I do not ask for recognition on this side at this time.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that the hour in the affirmative on this bill be controlled by the gentleman from Missouri [Mr. RUCKER].

Mr. HENRY of Texas. And I should like to stop right there.

Mr. MANN. If the gentleman from Missouri [Mr. RUCKER] is recognized, he is entitled to an hour. If he is not, that is the only way—

Mr. HENRY of Texas. We can adjust that. I ask that the gentleman from Missouri [Mr. RUCKER] be allowed to control the time on this side.

The SPEAKER. The Clerk will report the bill, and then the Chair will recognize the gentleman from Missouri [Mr. RUCKER].

The bill (H. R. 23349) was read, as follows:

*Be it enacted, etc.,* That the president, chairman, secretary, manager, or other person in charge of any political headquarters, bureau, or committee of any political organization or party which shall attempt to influence or secure the nomination of any person as a candidate for the office of President or Vice President of the United States shall, within 30 days next after the calling of the national nominating convention or within 30 days next after the fixing of the date of a national primary election for the nomination of candidates for President and Vice President of such political party, file in the office of the Secretary of the Senate of the United States at Washington, D. C., with said Secretary an itemized detailed statement, and on each 15th day thereafter until such nominating convention or primary election shall be held said president, chairman, secretary, manager, or other person in charge of such headquarters, bureau, or committee shall file with said Secretary of the Senate a supplemental itemized detailed statement. Each of said statements shall conform to the requirements of the following section of this act, except that the supplemental statements herein required need not contain any item of which publicity has been given in a previous statement. Each of said statements shall be full and complete and shall be signed and sworn to by the person making the same: *Provided,* That if a national nominating convention shall have been called before this act becomes law then the first statement herein required shall be made within 30 days after the approval of this act.

It shall also be the duty of said president, chairman, secretary, manager, or other person in charge of such headquarters, bureau, or committee to file a similar statement with said Secretary of the Senate, within 30 days after the adjournment of such nominating convention or after the date of holding such primary election, such final statement also to be signed and sworn to by the person making the same and to conform to the requirements of the following section of this act: *Provided,* That the depositing of any such statement in a regular post office, directed to the Secretary of the Senate of the United States, duly stamped and registered, within the time required herein shall be deemed a filing of such statement under the provisions of this act.

The statements so filed with the Secretary of the Senate shall be preserved by him for two years and shall be open to public inspection.

SEC. 2. That the statements required by the preceding section of this act shall state:

First. The name and address of each person, firm, association, or committee who or which has contributed, promised, loaned, or advanced to the president, chairman, secretary, manager, or other person in charge of such political headquarters, bureau, or committee, or any officer, member, or agent thereof, either in one or more items, money or its equivalent of the aggregate amount or value of \$100 or more,

and the amount or sum contributed, promised, loaned, or advanced by each.

Second. The aggregate sum contributed, promised, loaned, or advanced to the president, chairman, secretary, manager, or other person in charge of such political headquarters, bureau, or committee, or to any officer, member, or agent thereof, in amounts of less than \$100.

Third. The total sum of all contributions, promises, loans, and advances received by the president, chairman, secretary, manager, or other person in charge of such political headquarters, bureau, or committee, or any officer, member, or agent thereof.

Fourth. The name and address of each person, firm, association, or committee to whom the president, chairman, secretary, manager, or other person in charge of such political headquarters, bureau, or committee, or any officer, member, or agent thereof, has distributed, disbursed, contributed, loaned, advanced, or promised any sum of money or its equivalent of the amount of \$10 or more, stating the amount or sum distributed, disbursed, contributed, loaned, advanced, or promised to each, and the purpose thereof.

Fifth. The aggregate sum distributed, disbursed, contributed, loaned, advanced, or promised by the president, chairman, secretary, manager, or other person in charge of such political headquarters, bureau, or committee, or any officer, member, or agent thereof, where the amount or value of such distribution, disbursement, loan, advance, or promise to any one person, firm, association, or committee in one or more items is less than \$10.

Sixth. The total sum disbursed, distributed, contributed, loaned, advanced, or promised by the president, chairman, secretary, manager, or other person in charge of such political headquarters, bureau, or committee, or any officer, member, or agent thereof.

SEC. 3. That every person willfully violating any of the foregoing provisions of this act shall, upon conviction, be fined not more than \$5,000 or imprisoned not more than three years, or both.

Mr. RUCKER of Missouri. Mr. Speaker, the rule just adopted provides for two hours' general debate. I ask unanimous consent that some member of the committee from which this bill was reported may control the hour on that side.

Mr. MANN. I do not see any necessity for unanimous consent. A member of the minority opposed to the bill, if there is one, has the right to recognition on this side.

Mr. RUCKER of Missouri. If there is no one on the committee opposed to the bill—

The SPEAKER. The chair will recognize the gentleman from Missouri [Mr. RUCKER] for one hour, to dispose of the time as he pleases, and the Chair will recognize the ranking Republican on the committee for the other hour if he is opposed to the measure.

Mr. SHERLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. Will it be in order, during the two hours' debate, to offer amendments to the bill without having been recognized for debate of the bill?

The SPEAKER. If any Member gets the floor in his own right, he can offer an amendment.

Mr. SHERLEY. I appreciate that, but my inquiry is this: The statement of the Chair indicates that the time is now going to be disposed of entirely by yielding an hour to a gentleman on the majority side and an hour to a Member on the minority side. Now, this is a bill that could properly be read under the five-minute rule and thereby perfected. Will it be possible for any Member desiring to offer an amendment to offer such amendment before a final vote is taken on the passage?

The SPEAKER. The Chair does not believe that under the language of this rule any amendment can be offered after the two hours' debate.

Mr. MANN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MANN. The rule fixes the time for debate at two hours.

The SPEAKER. That is the impression of the Chair.

Mr. MANN. But the rule does not order the previous question at the end of that time, so that I take it an amendment would be in order, but not subject to debate.

Mr. SHERLEY. That is the exact proposition—

The SPEAKER. The Chair will read the latter portion of this rule:

At the end of two hours the vote shall be taken on all pending amendments and on the bill to the final passage.

Mr. HENRY of Texas. Mr. Speaker, just one moment. The intention was to bring all amendments and the bill to a vote at the expiration of two hours. An amendment can be offered at the end of two hours, but there can be no debate on it, and the vote must then come on the amendment and the bill.

The SPEAKER. The Chair was at first under the impression that it would shut out amendments, but the Chair does not now believe that it will. The Chair believes the amendment would have to be voted on without debate, however.

Mr. SHERLEY. The rule says that they must be pending.

The SPEAKER. And they would be pending if the Chair recognized any Member to offer one.

Mr. SHERLEY. But if the two hours are taken up by Members already recognized, the Chair would have no opportunity to recognize anybody else.

The SPEAKER. The rule is that when a Member gets recognition in debate, there being no special rule to the contrary,

he shall have an hour. If the gentleman from Missouri uses up his hour, it would only be fair for the Chair to recognize the leading Member of the minority or some Member opposed to this, if anybody is opposed to it. The Chair, however, will at the end of two hours' debate recognize anybody to offer an amendment, but shut off debate on the amendment.

Mr. MANN. That goes beyond the rule, but everybody believes that it is right.

Mr. RUCKER of Missouri. Mr. Speaker, I have been trying to get recognition by the Chair in order to state to the Speaker and the gentleman from Kentucky [Mr. SHERLEY] that in order to be sure that his amendment would be pending I myself would yield him time to offer the amendment; but the Chair has obviated the necessity of my making that statement. Mr. Speaker, the report which accompanies this bill is very short and fully explains the purposes of the bill. Within the last two years this House, by a vote which was not partisan, but generously given by gentlemen on both sides, has passed two publicity acts which are now on the statute books.

This bill seeks simply to extend the provisions of those acts to parties not covered by the existing law. It extends them to the president, secretary, manager, or person in charge of political headquarters, bureaus, or committees seeking to secure the nomination of candidates for the Presidency of the United States.

I believe there is widespread demand for this legislation, and I believe that demand is so thoroughly reflected in the sentiment and judgment of the membership of this House that two hours is much more time than is needed to discuss the provisions of the bill.

Let me say that I take but little stock in newspaper reports which cast reflections upon the character of distinguished citizens of the United States; but if reports that reach us through the daily press are true, if they are approximately true, they appeal to us loudly and earnestly for prompt action on this measure.

If it be true that certain candidates have expended the amount of money the newspapers tell us have been expended in certain States, I say the Federal Government ought to reach out its strong hand and require the gentlemen connected with the expenditure of that money to show from whence it comes and for what purpose it is being expended.

I am glad to say that many distinguished gentlemen in the United States have already expressed their approval of this legislation. I was glad to hear this morning, in the colloquy that occurred on the floor of this House, the distinguished leader of the House, the gentleman from Alabama [Mr. UNDERWOOD] plead that this bill might be considered to-day. [Applause.] I feel assured by his action here that he will give his vote and support in passing this measure promptly through the House and sending it to the other end of the Capitol.

A distinguished citizen of the United States, a resident of New Jersey, has recently sent a telegram to a Member of this House, which I read this morning in the Commoner, in which he gives his approval. I desire to have the Clerk read the telegram from Gov. Wilson which I send to the desk.

The Clerk read as follows:

[From the Commoner, Apr. 19, 1912.]

I am heartily in favor of legislation requiring publicity of contributions to presidential campaign funds, including both the contest for nomination and for election, and of their publication before the contests. Indeed, I think such legislation absolutely necessary to the purification and elevation of our politics. It would absolutely open the field to public view in which sinister influences are most apt to lurk and control.

Mr. RUCKER of Missouri. Now, if the Clerk will pause right there; thus we have it from a distinguished gentleman who hopes to be the Democratic nominee for President that he favors this resolution. I now ask the Clerk to read the editorial statement following the telegram just read.

The Clerk read as follows:

Speaker CLARK has also declared in favor of the same measure.

Mr. RUCKER of Missouri. Now, if the Commoner correctly quotes the facts, and I am sure it does, then the last-named gentleman, the distinguished Speaker of this House, who will be the next Democratic nominee for President, is also in favor of this measure. [Loud applause.]

Mr. Speaker, I have no desire whatever to embarrass the presiding officer of the House, but prompted by the spirit of good-fellowship and hearty approval which greeted the remarks just uttered by me, let me say that all of us, the friends of the Speaker of this House, bow in gratitude to the splendid Democracy of Oklahoma, Kansas, Arkansas, Illinois, Wisconsin, and Iowa, and to the splendid Democracy of Nebraska, and away over to the Pacific slope, to the Democracy of Oregon; and we, the Speaker's friends, will go with him as he seeks to woo and

win the hand and heart of the Democracy of Massachusetts, which I believe will soon give a favorable answer to his appeal. [Applause.]

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. RUCKER of Missouri. Certainly.

Mr. DYER. I would like to ask the gentleman if he has heard from Nebraska?

Mr. RUCKER of Missouri. Mr. Speaker, I am proud to say that I have heard from Nebraska, and that the Speaker of this House is running like a "houn' dawg" in Nebraska. [Renewed applause.] Mr. Speaker, I desire to apologize for the last statement, but it came to my lips as a quotation from some verses I recently read. [Laughter.] I want to say that the glad tidings which swept over this country since last midnight from Nebraska has kindled anew the fires of hope in the heart of every man who wants to see and who believes he will see the Speaker of this House nominated and elected the next President of the United States. [Applause.]

Mr. Speaker, it is not in the interest of any favorite that I ask that this law be passed. It is in the interest of the great mass of the people of the United States. We Democrats in this House, aided by our good Republican friends who are just as sincere in this matter as we are, in my belief, want to make it impossible for the elections in this country to be longer debauched as the press tells us they have been debauched in the past.

Mr. BATHRICK. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore (Mr. STEPHENS of Nebraska). Does the gentleman from Missouri yield to the gentleman from Ohio?

Mr. RUCKER of Missouri. I yield.

Mr. BATHRICK. Mr. Speaker, I quote from the law recently passed governing the election of Congressmen:

Every person who shall be a candidate for nomination at any primary election or nominating convention, or for election at any general or special election, as Representative in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention \* \* \* file with the Clerk of the House of Representatives at Washington,

And so forth.

The gentleman will note there that the candidate himself is included within the provision of the law. Why is not the candidate for the Presidency and Vice Presidency included within the provisions of the bill now before us in the matter of the publication of campaign expenses? Theirs being more important offices, why is it not more important that they should report than in case of Congressmen?

Mr. RUCKER of Missouri. Mr. Speaker, I will answer the gentleman with pleasure. My answer may not be satisfactory. In the first place, it is a little indelicate to require a man seeking the exalted office of President of the United States to make a sworn statement as to the amount of money that he expends. In the next place, we know that the candidate for President can not and does not himself expend campaign funds, except through the medium of committees, and this law, with the other laws that are in force, will require publicity as to every contribution made by a man seeking that high office.

Mr. BATHRICK. What is to prevent the candidate himself from receiving large contributions from any source?

Mr. RUCKER of Missouri. If he receives contributions and does not use them, they will not debauch the multitudes; if he uses them, then the committees expending them must give publicity. Then, again, at present we do not vote for the candidate for President of the United States, as we hope some day to do. We vote for electors who in turn vote for the President.

Mr. KOPP. Mr. Speaker, will the gentleman yield?

Mr. RUCKER of Missouri. Certainly.

Mr. KOPP. Does the gentleman consider this bill broad enough to cover the operations of an individual who may go about the country expending money in behalf of any given candidate?

Mr. RUCKER of Missouri. We sought to make the law broad enough to cover that.

Mr. KOPP. Who may not have any connection with any headquarters or any bureau?

Mr. RUCKER of Missouri. The committee and the gentleman who drafted the bill, the gentleman from Texas [Mr. HENRY], sought to make it broad enough. It may not be, but let me suggest to the gentleman from Wisconsin [Mr. KOPP] this is quite as good a bill, I believe, as we will be able to pass at this session of Congress. I grant that after a while, after the people have been heard from still further, we may pass a more drastic and a more satisfactory law.

Mr. KOPP. Mr. Speaker, I differ with the gentleman in this respect, that I believe this House is ready to pass any bill—the best bill—to secure the desired results, not in the next Congress,

but now. [Applause.] I call the gentleman's attention to this language:

That the president, chairman, secretary, manager, or other person in charge of any political headquarters, bureau, or committee, etc.

Suppose a wealthy man—and we have plenty of them who are interested in the elections—shall take \$25,000 and go from State to State and distribute it, is it the gentleman's judgment that that is covered by the wording of this bill?

Mr. RUCKER of Missouri. To be frank about it, I doubt it.

Mr. KOPP. Should not it cover it?

Mr. RUCKER of Missouri. I will be glad to see it put into the law of the United States, but I ask the gentleman, does he believe that such a law would pass?

Mr. KOPP. Unless some one shall show why it is unreasonable, I think it will pass; yes.

Mr. RUCKER of Missouri. Mr. Speaker, I recognize the good faith of the gentleman who is now addressing me and I know that he would go as far as any of us in making this bill all any citizen would desire it to be, but this House alone can not act; all measures must run the gantlet in another branch of the Legislative Assembly, and we are trying to get the best we can get.

Mr. KOPP. Does the gentleman think that relieves us of the responsibility of doing what we think is right? [Applause.]

Mr. RUCKER of Missouri. The gentleman thinks that we have to deal with conditions as we find them and, knowing the difficulties which have arisen in seeking to secure that which we have been desiring so many years, we should now take just as much of good legislation as another body will permit us to engraft into the law.

Mr. KOPP. If that amendment is not put into the law, does not the gentleman concede it would be a very simple matter to evade this provision?

Mr. SHERLEY. Mr. Speaker—

Mr. RUCKER of Missouri. Let me answer the gentleman once more, and then I hope he will excuse me. I say I would be very glad to welcome that as part of this legislation, but I did not believe it was advisable to put it in this bill, and therefore it is not in the bill. I am in full sympathy with the suggestions made by the gentleman.

Mr. KOPP. Just one more question.

Mr. RUCKER of Missouri. I yield to the gentleman.

Mr. KOPP. Is it not a fact that when the last corrupt practices bill was passed in this House and went to the Senate it was amended and improved, and does the gentleman think we are not justified in putting in all we think that is right, because of the fear that the Senate will strike it out? [Applause.]

Mr. RUCKER of Missouri. Mr. Speaker, the gentleman who just propounded the question to me almost provokes me to do that which the rules of this House forbid, and that is to disclose matters which transpired in conference, and let me say here now I have no respect for the rule, I have no respect for any rule made by any political party or any set of men which hides from public view the acts of public servants. [Applause.] And I want to say to you now—

But that I am forbid  
To tell the secrets of my prison house (the conference room),  
I could a tale unfold, whose lightest word  
Would harrow up thy soul, freeze thy young blood,  
Make thy two eyes, like stars, start from their spheres,  
Thy knotted and combined locks to part  
And each particular hair to stand on end,  
Like quills upon the fretful porcupine.

[Applause.]

I could tell you how distinguished gentlemen, powerful gentlemen, labored with my friend from New York [Mr. CONRY] and myself not only to modify but to absolutely destroy, as I regarded it, most of the good legislation the Senate of the United States added to that bill, and I want to tell the gentleman that if it had not been for the great majority of the membership of this House, coming fresh from the people and standing firmly to their guns, that conference committee would never have reported the bill which became law. We are tied up on another piece of legislation which the people are clamoring for and for which the gentleman is clamoring. Why do not we get it? Go ask somebody why we do not get it, but do not ask me. I now yield to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I would like to suggest this thought to the gentleman: We nominate, or, rather, we select by States, citizens to the nominating convention. If publicity is to be of value, that publicity ought to come prior to the primary election or the convention that is held in each particular State. Now, it has been currently rumored in the press that a great deal of money was spent in Pennsylvania in connection with the primary held there for the selection of delegates to a

national convention. Does the gentleman think that this law makes certain the publication in each instance prior to the holding of the primary or State convention of contributions of money expended in a particular State?

Mr. RUCKER of Missouri. Mr. Speaker, the gentleman from Kentucky [Mr. SHERLEY] knows very well there must be some time fixed to begin. This act provides that the first publication shall be within 30 days after the calling of a national convention or the fixing of a date for a national primary.

And that seems to be as near as we can get to it. That, I believe, will antedate the action of any State in the Union.

Mr. SHERLEY. I want to suggest to the gentleman this idea: That instead of making fixed periods of time of, say, 15 days, it might be advisable to have a provision that required within 3 days or 5 days prior to holding the convention or primaries in any State that as to all moneys expended in that State a statement should be made public, because it is entirely possible that money is put out just prior to the holding of a primary, and the time might come prior to the publication, and when the next publication was had it would simply be reciting ancient history.

Mr. RUCKER of Missouri. I recognize the force of what the gentleman has said. The committee sought to anticipate that condition by requiring the first publication to be within 30 days next after the calling of the national convention. Let us take such steps as we recommend now. Do not load the bill down so that it will be cumbersome and its enactment endangered. If it becomes law, Congress has full power to make it fit and apply to any conditions that may arise, and will exercise that power by amendment from time to time as experience may demonstrate the necessity.

Mr. SHERLEY. If the gentleman will permit, I understand his fears. I do not want a bill passed here that will not go through the Senate, but that is no reason why we should put a bill through that does not mean anything. Why should not there be a provision in here providing for the publication of all expenses five days prior to the primary?

Mr. RUCKER of Missouri. I will be glad to take that up. I do not think it should be put in the bill now. Mr. Speaker, I have already consumed more time than I had any intention of doing, and I now reserve the balance of my time and ask gentlemen on the other side to consume some time.

Mr. MANN. Mr. Speaker, I would like to ask the attention for a moment of those Members who are familiar with criminal prosecutions as to a provision in this bill, for the purpose of ascertaining, if I may, whether it will amount to anything when passed. The bill contained a penal section—section 3—

That every person willfully violating any of the foregoing provisions of this act shall, upon conviction, be fined not more than \$5,000 or imprisoned not more than three years, or both.

The penalty is directed against the persons named in section 1, as follows:

The president, chairman, secretary, manager, or other persons in charge of any political headquarters—

And so forth.

Who could be punished if no one files these statements? I will ask the gentleman from Missouri [Mr. RUCKER] that question. Would it be the president, the chairman, the secretary, the manager, or other persons? They are not all required to file a statement. If no one files a statement, who is guilty? Are all of them guilty? Can you make one man guilty because some one else does not do something? You can not convict anybody on the face of the earth under such a provision. If you wish to make it so that the penal provision is good, it must be directed against some particular person or official and can not be, in my judgment, in the alternative. However, I would prefer to have the opinion of those who have drafted indictments and prosecuted indicted persons.

Mr. RUCKER of Missouri. Do you ask me my opinion?

Mr. MANN. Yes.

Mr. RUCKER of Missouri. I think the man in charge would be amenable to this criminal provision, whoever he might be, whether he is designated as president, secretary, manager, or what.

Mr. MANN. Supposing there is a chairman and a secretary and a president in charge, could they all be prosecuted if no statement is filed? It is easy enough to organize and have a president, a manager, a secretary, and a chairman, if that permits somebody to escape.

Mr. COOPER. Will the gentleman permit an interruption?

The SPEAKER. Will the gentleman from Illinois yield to the gentleman from Wisconsin?

Mr. MANN. Certainly.

Mr. COOPER. I call the attention of the gentleman from Illinois to the language in line 3, section 1:

That the president, chairman, secretary, manager, or other person in charge of any political headquarters, bureau, or committee—

He is in charge of the political headquarters or in charge "of the committee." That is the language, literally. It does not say "the president of a committee or secretary of a committee," but—

President, chairman, secretary, manager, or other person in charge of any political headquarters, bureau, or committee—

Mr. MANN. Suppose any one of them is in charge. Suppose all four are in charge?

Mr. COOPER. How could any of them be in charge of "a committee"?

Mr. MANN. I think the gentleman's criticism is well directed.

Mr. BURLESON. Will the gentleman permit me to suggest if it would not simplify this bill and make it more effective if the words "president, chairman, secretary, manager, or other person" were stricken out?

Mr. MANN. With "the person in charge"?

Mr. BURLESON. And read:

That the person in charge of any political headquarters, bureau, or committee of any political organization—

And so forth.

Mr. BURLESON. The bill provides that the person in charge of any political headquarters, bureau, or committee of any political organization shall be required to make report.

Mr. MANN. That would make it of some value; but as it was written probably it was not intended that we should be able to convict anybody under it.

Mr. BURLESON. It would make some person in charge responsible.

Mr. MANN. I have always supposed that in a criminal statute it was necessary to have particularity if you wished to indict and convict.

Mr. BURLESON. It would make the person in charge of the headquarters responsible.

Mr. RUCKER of Missouri. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. MANN. Certainly.

Mr. RUCKER of Missouri. So far as I know, speaking for myself, neither the gentleman who introduced this bill or any member of the committee is opposed to any amendment to the bill that will perfect it. If that will perfect it, there is no objection to it.

Mr. MANN. But, Mr. Speaker, here is a situation where a bill is introduced on the 15th of this month and reported on the 17th, and on the 18th—day before yesterday—after this bill had been reported, we passed a rule providing that this day should be set aside for another purpose. Members of the House have not carefully examined the details of this bill, unless it be the members of the committee which reported it. I do not even see very many members of the minority of the committee here. I do not think that they knew that the bill was coming up. I do not think that the Members of the House generally knew that the bill was coming up. It seemed at me that, when I first looked at the bill this morning, I detected a fatal defect in it. The gentleman seems to admit it now. How many more defects there are in it I do not know.

This is not the way to pass proper legislation when everybody is agreed that legislation may be desirable. The House and the Members ought to have an opportunity to examine the provisions of the bill.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Pennsylvania?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. How would you reach an individual who was acting in his own capacity, establishing agencies or setting up committees—more than one—in separate parts of the country?

Mr. MANN. You could not reach anybody under the penal sections of this bill unless you established the fact that they were political headquarters or the bureau of a committee or a political organization or party that attempted to influence or secure the nomination of any person. These organizations are not organizations of any party; these committees are not committees of any party. They are committees of individuals, and they are intended to influence the nomination of the party candidate. They are not committees of a party; they are not

recognized as committees of a party. The distinguished Speaker of this House may have a committee; I do not know; but if he has one to encourage his selection it is a committee devoted to the interests of the Speaker. It is not a committee of the Democratic Party, and no conviction could be had under the terms of the bill.

But I suppose that if the bill were enacted into law, the purpose in the main would be carried out by honest men attempting to influence the selection of presidential or vice presidential candidates, but those who did not wish to be honest would omit any statement that they wanted to omit in the statement which they filed, knowing that no criminal prosecution could lie against them successfully.

Mr. Speaker, it is an odd thing that at the very time when the Democratic side of this House is opposing or advocating—whichever you take it—a change in the Constitution which would eliminate the control of Congress over the election of Senators of the United States they seek publicity in every other direction. So far as I am concerned, I believe that so far as possible every individual, every party, every committee, every organization of any kind which seeks to influence the election of any United States officer ought to be required to make public its receipts and its expenditures, including United States Senators. And yet there is now in conference between the two bodies a proposition, advocated by the other side of the aisle, which would eliminate the power of Congress over either the primaries or the election of United States Senators.

Why do you want to take away our power to require senatorial candidates to publish their campaign contributions and expenditures? Why do you want to take away our power to require candidates for United States Senators at direct primaries, if they be provided, or direct elections, to publish their campaign contributions and their campaign expenditures? Why do you seek to strike down the law now on the statute books—of great value, in my judgment—to require both Senators and Members of this House to make public their campaign contributions and expenses?

Mr. RUCKER of Missouri. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. MANN. I will yield, but the gentleman can take his own time whenever he takes the floor.

Mr. RUCKER of Missouri. Oh, well, if the gentleman does not want to be courteous enough to answer the question—

Mr. MANN. I will answer the question, certainly.

Mr. RUCKER of Missouri. Do I understand the gentleman to say that this bill destroys the other publicity act?

Mr. MANN. I do not. I say that the position which the gentleman from Missouri [Mr. RUCKER] occupies in reference to the constitutional amendment now pending in conference, if sustained by Congress, will eliminate the power of Congress to control the publicity of campaign contributions and expenses of senatorial candidates either at primaries or elections.

Mr. RUCKER of Missouri. The gentleman voted against House resolution 39, I believe. Let me say, Mr. Speaker, in answer to the gentleman, that if the American people have to choose between two alternatives—

Mr. MANN. The gentleman will have to answer in his own time. I did not limit the time.

Mr. TAGGART. Mr. Speaker—

The SPEAKER. Does the gentleman from Illinois [Mr. MANN] yield to the gentleman from Kansas [Mr. TAGGART]?

Mr. RUCKER of Missouri. I want to answer the gentleman from Illinois in connection with what he said.

Mr. MANN. I did not limit the time. I yield to the gentleman from Kansas.

Mr. TAGGART. Does the gentleman say that the Congress of the United States has no power at this time to legislate with reference to campaign expenditures of candidates for the House of Representatives?

Mr. MANN. We have already legislated. We have provided for the filing of statements. That applies both to candidates for this House and candidates for the Senate; but the constitutional amendment, which your side of the House is fighting for, eliminates all control by Congress over the election of Senators, either directly or at the primaries. [Applause on the Republican side.] We are opposed to it. We are in favor of maintaining the power of Congress to require publicity of expenditures, both of candidates for the House and of candidates for the Senate, and you are opposed to it, or your committee is.

Mr. PAYNE. And they are insisting—

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from New York [Mr. PAYNE]?

Mr. MANN. Yes.

Mr. PAYNE. They are insisting on attaching that to an amendment to the Constitution which would allow a direct vote of the people to elect Senators.

Mr. MANN. Yes.

Mr. TAGGART. Will the gentleman yield for another question?

Mr. MANN. For a short question.

Mr. TAGGART. The gentleman has reference to the amendment offered to the constitutional amendment providing for a direct vote of the people in the matter of electing Senators, has he not?

Mr. MANN. I have reference not to an amendment offered to an amendment, but I have reference to the resolution providing for the amendment of the Constitution.

Mr. TAGGART. That is coupled with the resolution to amend the Constitution so as to provide a direct vote for Senators.

Mr. MANN. That is a part of the Democratic program on the resolution providing for an amendment to the Constitution in reference to the direct election of Senators.

Mr. RUCKER of Missouri. Did the gentleman from Illinois vote for that?

Mr. MANN. I do not remember whether I did or not. I do not see what that has to do with it. I am in favor of that part of the Constitution, and of enforcing it, giving the power which we now have to require of candidates both for the House and the Senate that they shall make known all of their contributions and their expenses, and the gentleman from Missouri [Mr. RUCKER] is opposed to it. [Applause on the Republican side.]

Mr. Speaker, I do not desire to use all of the time. I yield to the gentleman from Wisconsin [Mr. KOPP] five minutes.

Mr. KOPP. Mr. Speaker, I am earnestly in favor of the publicity of campaign contributions, whether it be for the choice of candidates for the Presidency and Vice Presidency, for United States Senators or Representatives; but I believe the bill before us will accomplish nothing unless those who are to comply with its provisions desire to do so. And I take it as no reflection on the committee or any individual because we express our views in the matter. Now, it is a well-known fact that penal statutes are strictly construed, and consequently if this bill becomes a law and comes to our courts for interpretation it will be strictly construed.

As suggested by the gentleman from Illinois [Mr. MANN], what does this prohibit? It prohibits "the President or any other person" in charge of what—"of a committee of a political organization or a party"—surely no one will contend that in a primary fight it is a party contest. The honored Speaker of this House is not seeking nomination with his candidacy supported by a party; it is by certain members of his party. Nor can it be said that his supporters form an organization. Has there been any meeting of the men throughout the country who favor the honored Speaker for President; have they ever met to form an organization? There is no organization supporting any presidential candidate. When you say that only those who are managing "committees of an organization" or "committees of a party" need account for their contributions you are saying that there are no persons in existence to-day who need to so account, for I defy any man to get up and point out anybody who, under the strict interpretation of that statute, would be compelled to file a statement.

It is nothing more nor less than an association of individuals, not an organization, who are supporting the several candidates; a few in this State, a thousand in that, some here and some there; these people who get together and run a campaign are a voluntary association, so to speak, but can not be called an organization in any sense.

My contention, Mr. Speaker, is that unless this bill is amended so that every individual who contributes in excess of a minimum amount, say \$100—unless there is an amendment which compels every person who contributes \$100 or more toward the election or nomination of any delegate, or the nomination of a candidate for the Presidency, to file a statement, it will be nugatory; it will have no practical effect, and will not be worth the paper that it is written on.

Why waste the time? I think that no one can successfully deny the statements which I have made, and so why waste the time in trying to pass this bill in its present form? Surely, not because, perchance, as the gentleman from Missouri has said, and no one has a higher opinion of him than I, the Senate will put some other amendments on, or the Senate will not be satisfied with the amendments that are put on. If we are going to pass a bill let us pass one that will have some effective, virile force when written on the statute books. If there is to be a bill let it have some teeth.

Mr. HOBSON. Will the gentleman yield?

Mr. KOPP. Certainly.

Mr. HOBSON. Has the gentleman his thought in concrete form in the nature of an amendment.

Mr. KOPP. I have not, for the reason that I never saw this bill until debate opened. It was introduced on April 15, reported on April 17, and I had no idea that a rule was going to be brought in providing for the immediate consideration of one of the most important bills that has been before us this session.

Mr. MARTIN of South Dakota. Will the gentleman yield?

Mr. KOPP. Yes.

Mr. MARTIN of South Dakota. I have been studying the proposition as well as I could within the limited time that I have had, and I suggest whether it could not be put in concrete form by inserting in line 8, page 1, after the words "United States," the language "and any person who shall attempt to influence the securing of such nomination."

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. MANN. I yield the gentleman five minutes more.

Mr. KOPP. Mr. Speaker, I think that would accomplish the result. I will say that I had intended offering an amendment myself in line 5, after the words "party which," add "and every individual who." But the trouble is the bill is already built and constructed around the proposition here embodied, and it would take a dozen amendments to perfect it.

Mr. LONGWORTH. Is the gentleman from Wisconsin a member of the committee?

Mr. KOPP. I am not. So, Mr. Speaker, it seems that this is so important that it is considered to-day, not in the usual routine of business, but under a special rule. Special rules are brought in when? I take it only when there is an emergency or when there is something of such transcendent importance that it must receive early attention. With all the primary contests now on throughout the country and with the charges pending of corrupt use of money, I am earnestly in favor of the bill being passed to-day, and I trust it will pass the Senate Monday and be signed, so that we may have this law on the statute books, but this bill ought not to be put on our statute books unless it is very materially amended.

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. KOPP. Certainly.

Mr. POWERS. Mr. Speaker, I ask if it is not true that under the provisions of this bill nobody is required to publish a statement except the president, chairman, secretary, or manager, or person in charge of a political headquarters or bureau or committee?

Mr. KOPP. That is the position I take.

Mr. POWERS. And is it not further true that those are the only ones who would be amenable to the laws for any failure to comply with the provisions of this bill?

Mr. KOPP. That is my interpretation of the bill.

Mr. POWERS. In other words, anybody else connected with the campaign could, with impunity, have all of this money expended and would not be required to give any publicity to it?

Mr. KOPP. That is the defect as it appears to me, and which I am attempting to point out.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. KOPP. I do.

Mr. MOORE of Pennsylvania. Suppose we take a concrete example. Headquarters are opened here in the city of Washington and placed in charge of a gentleman who is a publicity agent or a manager or whatever you please to call him. Headquarters are also opened in Chicago and are placed in charge of a gentleman who has similar control over the immediate management of the campaign in that locality. Does the gentleman believe that a statement to be filed by such an agent or such a manager would cover the funds that are actually expended by a millionaire, for instance, in a campaign in the interest of a certain candidate?

Mr. KOPP. I think it is well known by all of us who have had any experience in politics or who have even observed the operations of individuals that the vast sums of money are expended by the individual and are never accounted for on the books of any organization, if you may call it an organization. But under the wording of this bill there is no one to file a statement but a party or organization. There is no party, there is no organization, who is supporting the candidacy of our honored Speaker, or of President Taft, or of Mr. Roosevelt, or of Gov. Wilson. There is no party or organization supporting those gentlemen. They are supported by individuals here and there all over this Nation within the party. This being a penal statute, it would be strictly construed, and I contend that there is not a person who would be required to account for expenditures made in the primary campaign now upon us.

Mr. MOORE of Pennsylvania. Suppose we expect to reach a candidate of great ability but of small means, who has a number of headquarters throughout the country and who is supposed to be supported by a millionaire. Does the gentleman think we would reach that millionaire by the passage of this bill?

Mr. KOPP. I do not. As I stated a moment ago, if there is any one thing that we need in this country—and I hope it is not demagoguery to state it—it is to know who are the men who are supporting the various candidates in this day of great business, when we have hundreds of millionaires and when it is thought, at least by the common people, that these great financiers are attempting to dictate the nominations and elections. In justice to those people who believe this, whether it be true or not, we ought to place our hands on every individual who contributes a material amount and require him to say for whom he is expending the millions that he has hoarded. The people should know who are furnishing the sinews of war. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. RUCKER of Missouri. Mr. Speaker, I was somewhat disappointed in the gentleman from Illinois [Mr. MANN] a moment ago when he abruptly, almost, refused to answer my question or to permit me to make a statement.

Mr. MANN. Mr. Speaker, I think it is hardly fair to me for the gentleman to make that statement. The gentleman has time and I have time.

Mr. RUCKER of Missouri. Mr. Speaker, as I heard the gentleman say the other day to a gentleman on this side, he will have to permit me to make my own statement, and I considered it that way; but, frankly, I do not think the gentleman intended to be abrupt. I appealed to the gentleman, and he told me to make my statement in my own time. I merely wanted to answer the question he asked me. Now, in my own time, I repudiate and deny the suggestion that any Democrat wants to repeal the law which makes candidates for the United States Senate give publicity to their expenses. After experiences of which the gentleman knows more than I do people all over this country demand that gentlemen who seek that high office should be required to give publicity, and I, for one, say amen to that holy and righteous demand.

The gentleman himself [Mr. MANN] voted against House resolution 39, and the RECORD so shows. He has forgotten how he voted or is not certain about it. The RECORD shows that he voted against it. I tell you, Mr. Speaker, there are more ways than one of defeating wholesome legislation. Some gentlemen say, "Oh, it does not go far enough." Mr. Speaker, if we Democrats have our way, it will be impossible for gentlemen to buy seats in the United States Senate in the future. Mr. Speaker, would the gentleman from Illinois [Mr. MANN] favor House resolution 39 if we amend it so as to provide that the Congress of the United States shall always have the power to require Senators to publish their campaign expenses? I doubt if he would.

Democrats would be glad to accept that as an amendment. It has time and again been offered, and it will not do for gentlemen to say we are responsible for the long delay in reaching agreement in conference; but let me say again, believing as I do, thinking as I do on the subject, if the American people have to take the alternative between allowing a Senator to escape publicity or allowing him to buy a seat in the United States Senate, I would rather return to the people the right to elect their Senators. Now, Mr. Speaker, this is a question that ought not to have been dragged into this discussion. I am somewhat surprised at my friend from Wisconsin [Mr. KOPP], who I know would gladly help make this bill a better bill; that every member of this committee on both sides of the aisle are seeking to make a bill which we believe will meet the present emergency, and as time goes and developments occur we would gladly meet you halfway and in every effort make the bill more perfect than it is. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has 24 minutes.

Mr. MARTIN of South Dakota. Mr. Speaker, will the gentleman permit a question before he yields? I would like to ask the gentleman if he would have any objection to inserting, in line 8, page 1, after the words "United States," something to this effect, "and any other person or persons who shall attempt to influence or secure such nomination"?

Mr. RUCKER of Missouri. I would have no objection to inserting the language which would carry that principle into the bill. We sought to make the bill the very best we could, but, as suggested before, we would have to make several amendments, if the suggestion of the gentleman is accepted, to make the various sections harmonize.

Mr. MARTIN of South Dakota. You can insert the same language where occasion arises throughout the bill.

Mr. BURLESON. Will the gentleman yield for a question?

Mr. RUCKER of Missouri. I will.

Mr. BURLESON. Would the gentleman have any objection to striking out the word "political" before "organization" and insert the word "political" before the word "party," so that the bill would read: "of any organization or political party"?

Mr. RUCKER of Missouri. Why not have political organization, too?

Mr. BURLESON. We would like to know the amount of money that is expended by the American Protective League; for instance, which is not a political organization, as members of both political parties may belong to it.

Mr. HENRY of Texas. I think this would include it.

Mr. BURLESON. I am quite sure it would not include it.

Mr. RUCKER of Missouri. I will say to the gentleman I have no objection to changing the phraseology at all, and I will welcome any suggestion from any Member on either side of the House to improve the bill. I think the suggestion of the gentleman from Texas [Mr. BURLESON] a wise suggestion, and so far as I can I will gladly accept it.

Mr. COOPER. Mr. Speaker, I desire to ask the attention of the gentleman from Missouri to what seems to me, if I correctly interpret the language, to be a contradiction. In lines 7 and 8 it requires that these officers' names shall within 30 days next after the calling of a national nominating convention or within 30 days next after the fixing of the date of a national primary election make their first statement. That is correct, is it not?

Mr. RUCKER of Missouri. I think so.

Mr. COOPER. It says they shall file their first statement.

Mr. RUCKER of Missouri. Yes.

Mr. COOPER. Then you go down to lines 7 and 8, and you provide "and on each fifteenth day thereafter until such nominating convention or primary election shall be held"——

Mr. RUCKER of Missouri. Well?

Mr. COOPER. That is the primary election to nominate candidates——

Mr. RUCKER of Missouri. I do not know that I understand the gentleman, but the language, as I recall it, provides that beginning within 30 days after the calling of a convention or the fixing of the date of the primary these statements shall be made every 15 days until the convention or the primary election, as the case may be, is held, and then a final statement shall be made within 30 days after the adjournment of such convention, or after such primary election is held.

Mr. COOPER. But we have no national primary election.

Mr. RUCKER of Missouri. I understand, but the committee thought, with the progressiveness that is now under way, we may have one when the next presidential nomination is made. Mr. Speaker, I yield five minutes——

Mr. COOPER. One moment. Then, a national primary election would not be a primary election in any particular State?

Mr. RUCKER of Missouri. Oh, no.

Mr. COOPER. But it would, as the gentleman from Missouri supposes, apply to a national primary election.

Mr. RUCKER of Missouri. I will say to the gentleman from Wisconsin I believe we are drifting to that end, and I hope it will come and come soon—the sooner the better. I yield five minutes to the gentleman from New York [Mr. CONRY].

Mr. CONRY. Mr. Speaker, I believe implicitly in legislation of this character. It is salutary legislation, for which there is an immediate and imperative necessity. The presidential primaries, as they have worked out in their practical application, have created certain abuses necessitating such legislation. In obedience to the demands of this emergency this bill, as I understand it, was prepared and introduced to correct some of the evils that have arisen under the presidential primaries. I admit, after reading it over and studying it as carefully as I could within the few moments that it has been up before this House for consideration, that it contains some imperfections. I may say it contains many imperfections, but I do not think that the existence of these imperfections should be utilized as a pretext to accomplish the defeat of this legislation [applause], which in its purpose and effect is salutary. I believe, as a member of the committee, that this bill should be amended. I am willing to accept, as far as I am personally concerned, any amendment of any kind whatever that will tend toward the absolute perfection of this legislation. I believe that the Presidency of the United States is an office too high in dignity, too great in power and influence to be smirched by any stigma that may result from a presidential election through the exercise of sinister influences and considerations. [Applause.] For this reason I believe that this legislation should pass to-day. We

are in the midst of a presidential primary. If this bill does not pass immediately, we will not have time sufficient, between now and the nominating conventions, to apply it practically and to test its efficacy to reform conditions as they exist to-day, and as they will be developed under the pending presidential primaries.

I was surprised to hear the distinguished gentleman on the other side of the House, the leader of the minority, say that the Democratic Party in this House has committed itself unequivocally to the destruction of that power of control and regulation which this Government exercises over the election of United States Senators. [Applause.]

The SPEAKER. The time of the gentleman from New York [Mr. CONRY] has expired.

Mr. RUCKER of Missouri. I yield to the gentleman two minutes more.

Mr. CONRY. He referred to a conference which has under consideration and advisement the bill passed by this House providing for the election of Senators by popular vote. And I want to say to the membership of this House that as a conferee on behalf of the House in my action in that conference I have been actuated purely and conscientiously by a conception of my duty in carrying out the instructions of this House. We received instructions from this House, which guides our action, by an overwhelming majority in support of resolution No. 39, to stand by a certain proposition. We have stood by it loyally and faithfully and have endeavored to carry out the mandate of this House effectively and patriotically.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. CONRY. That resolution was passed in this House.

The SPEAKER. Will the gentleman from New York [Mr. CONRY] yield to the gentleman from Illinois [Mr. MADDEN]?

Mr. CONRY. I yield.

Mr. MADDEN. I want to ask the gentleman from New York if as a matter of fact the resolution for which he stands as a conferee does not in words take the power away from Congress to regulate the election of Senators of the United States?

Mr. CONRY. That is the contention made by many people. The way I read it, I contend that in effect it does not go as far as the gentleman, by the question he propounds, would imply. But it is not a party question distinctively; because when that resolution passed this House it was carried by an overwhelming vote of 296 to 16. All party lines were battered down and party distinctions obliterated. [Applause.]

The SPEAKER. The time of the gentleman from New York [Mr. CONRY] has again expired.

Mr. MANN. Mr. Speaker, the distinguished gentleman [Mr. CONRY] who has just taken his seat, able, eloquent, the ranking Democrat on the committee which reported this bill, regretted that he never had had an opportunity to read the bill until it was brought up in the House this morning.

Mr. CONRY. Mr. Speaker—

The SPEAKER. Does the gentleman from Illinois [Mr. MANN] yield to the gentleman from New York?

Mr. MANN. Certainly.

Mr. CONRY. Mr. Speaker, I would like to venture at this time to correct the statement just made by the distinguished gentleman from Illinois.

Mr. MANN. I yield for that purpose.

Mr. CONRY. The statement of the gentleman verges closely upon inaccuracy. I stated, not that this was the first time I had had an opportunity to read this bill, because I was present at the meeting of the committee when it was considered, but I said in reading it, in the time allotted to me, I discovered the imperfections—imperfections that should not stand in the way of the enactment of this legislation and that should be eliminated in order to effectively deal with the evils that are liable to arise under the presidential-primary system.

Mr. MANN. I said he never had had an opportunity to read the bill, and evidently never had read it, until I took the floor a moment ago and called attention to some defects in it, which the gentleman, I presume, if he had read it, would probably have discovered himself, because he is an able gentleman and probably would have discovered these defects if he had even looked at the bill.

Mr. Speaker, the gentleman again refers to the resolution to amend the Constitution; both gentlemen do. This side of the House, when that question was presented to the House, voted in favor of a proposition to have Senators elected by direct vote of the people, reserving to Congress the power to control the regulations in regard to that election, and that side of the House voted against the proposition which would give to the Congress the control over the election of Senators by direct vote—a control which we now exercise over their election by legislatures—and the Democratic side of the House has persistently

and consistently insisted that as a part of the amendment to the Constitution providing for the direct election of Senators the power which Congress now has to regulate the election shall be taken away from Congress.

I yield five minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN of South Dakota. Mr. Speaker, there is certainly very great force in the position taken by the gentleman from Wisconsin [Mr. Korr] concerning the imperfections of this bill.

I think that the minds of Members of the House are agreed upon the necessity for this legislation. I believe that the great majority of the Members of the House are agreed also in a desire to perfect a bill that will accomplish results. Such imperfections as there are in the measure in its present form have resulted, evidently, out of the hasty manner in which this legislation is proposed. I am not criticizing that hasty manner. I think the exigencies of the situation are such that they call for this legislation and justify prompt legislation. At the same time they do not justify such careless legislation as will be absolutely ineffectual in accomplishing the results which we all desire to reach.

Now, this bill, as prepared, purports to touch nobody except persons acting on behalf of some organization or party. There is a prevailing belief throughout the country and in the minds of the membership of this body that all of the offenses that ought to be reached here are not committed by organizations or by representatives of parties, but that they may be committed also by individuals of large means in their own personal capacity and in furtherance of their own personal desires. This bill does not undertake to reach individuals of that class. It ought to be amended so that it would reach them.

If, as a matter of fact, all the offenses of this type that we are now seeking to reach are committed by some persons acting in some capacity for some committee or organization, it certainly follows, as the daylight follows the night, that the moment this bill is passed, that moment the method would be changed, and thereafter all expenditures of that kind would not be made by representatives of organizations and parties, but by individuals, and then we would have no law to reach the offense.

Therefore I think it absolutely essential to perfect any legislation that would accomplish the desired result, that the bill should be amended in such a way as to touch persons who attempt to influence in an improper manner as individuals the selection of candidates for presidential nomination as well as those acting in a representative capacity.

Mr. HOBSON. If the gentleman will allow me, will he draw up, before we get through the consideration of the bill, such an amendment as he has in mind?

Mr. MARTIN of South Dakota. I have already submitted what I have to the gentleman across the aisle here—the gentleman from Missouri—an amendment which I think would reach it. I think it would be effective if we could insert at the bottom of the first page, in line 8, after the words "United States," this language: "And any other person or persons who attempt to influence or secure such nomination." Then make the required changes in the remainder of the bill, so as to make it cover these two classes of offenses—those committed by a committee or organization, and those committed by an individual. That could easily be done, and I think that would reach the case.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from South Dakota yield to the gentleman from Illinois?

Mr. MARTIN of South Dakota. Certainly.

Mr. MANN. Suppose in some small town, or in some large town, in the country, somebody issues a printed call by letter for gentlemen to gather at his house in the interest of some candidate for President. Does the gentleman mean to say that he would require such person or persons to file a statement every 15 days, as required by this bill, because they had spent a few dollars or a few cents in asking people to gather together?

Mr. MARTIN of South Dakota. It might be asked with just the same propriety, if a committee or some organization should do that thing, would we have a breach of the provision? Out of the necessities of the case, in order to reach the real offender, the law may sometimes cover negligible acts. I do not think for that reason it is any good argument against the advisability of the law.

Mr. MANN. Is it not a good argument in favor of putting a proper provision in the bill, so as to reach what you want to reach—expenditures of considerable amounts—and not attempt to reach expenditures that cover the price of a box of cigars only?

Mr. MARTIN of South Dakota. There is a great deal of force in what the gentleman says, but I do not think we are likely to embarrass the purity of nominations by going too far in this matter. Of course, the thing that is sought to be reached here is the improper expenditure of money in an attempt to influence the selection of a candidate for nomination for the Presidency, and it ought to be framed so as to reach the improper expenditure of money by any individual.

Mr. BURLESON. Could not what the gentleman has in mind be far more easily reached by adding, after the word "person," in line 4, the words "acting for himself or"?

Mr. MARTIN of South Dakota. I think that is a mere matter of phraseology. I think something of the sort the gentleman suggests, if it were made plain that it does not limit what follows, would answer the purpose. I do not think it would do it quite as definitely as what I propose.

I think, Mr. Speaker, I have said about all I desire to say upon this subject. It is a matter of vital importance.

If the Congress of the United States has had ground for passing the publicity laws which it has passed regarding expenditures for persons who are candidates for Congress, there is no reason why we should not proceed along the line, in order to protect the American system of nominations and elections for all important positions, from the Presidency of the United States down, where such elections or nominations are sought to be influenced by the expenditure of money.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of South Dakota. Certainly.

Mr. MURDOCK. I appreciate what the gentleman has said. The gentleman realizes, as I do, that many of the corrupt-practices acts which we have now are not successful in as full a measure as we would desire. I want to ask the gentleman if he believes it is possible to frame an act of this kind so that it will not be evaded. Does he believe that is possible?

Mr. MARTIN of South Dakota. I think, in the very nature of the legislation, it perhaps is more easily evaded than most statutes of a criminal character, but still I think that the moral effect of such statutes is good, and I think that the practical effect is to limit the corrupt and improper expenditure of money to influence nominations, and that such expenditure is considerably curtailed by this class of legislation.

Mr. MURDOCK. The answer of the gentleman, then, is that it does exert a moral effect, but does not accomplish all that it seeks to accomplish in making public all campaign expenses.

Mr. MARTIN of South Dakota. That is not quite my answer. My answer is that it has a good moral effect, and beyond that it has considerable practical effect in lessening the improper expenditure of money to influence elections.

Now, I want to say to the gentleman from Missouri [Mr. RUCKER], before I take my seat, that I do not think the gentleman has any occasion to be timid about placing in this bill, as it shall be passed by the House, any provisions that are reasonable, that seek to make this idea effectual. I do not think we need to fear what will happen to any reasonable provisions of that kind, either in this body or elsewhere, so long as they really seek to accomplish the end the gentleman so properly desires to accomplish.

Mr. RUCKER of Missouri. Let me say to the gentleman from South Dakota, as I have already said, that we sought to frame a bill which we thought could become a law. Speaking for the committee and for myself, we will gladly welcome any suggestion from any source to perfect this bill and make it accomplish what we desire.

Mr. MARTIN of South Dakota. That is the purpose of what I have offered and of what I have had to say. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GRAHAM). The time of the gentleman from South Dakota has expired.

Mr. MANN. I yield five minutes to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Speaker, I want to ask the chairman of this committee a question or two in regard to this bill. What does the gentleman think of an amendment of this character, beginning on page 1:

That the president, chairman, secretary, manager, or other person in charge of—

Then insert the words:

or connected with any political headquarters, bureau, or committee of any political organization or party or otherwise who shall attempt to influence—

And so forth.

And carry that amendment through the entire bill?

Mr. RUCKER of Missouri. I will say frankly to the gentleman that I think other suggestions have been made which

reach the same thought in briefer language, and would be better calculated to accomplish the same thing.

Mr. POWERS. The gentleman would have no objection to this amendment unless it was covered better by other suggestions?

Mr. RUCKER of Missouri. If we amend the bill at all, I want to improve it. I am willing to accept any amendment which, in my judgment, seeks to improve the bill.

Mr. POWERS. Would it not improve it to say, "Anybody in charge of political headquarters or connected with it"? That would include more than the present bill includes.

Mr. RUCKER of Missouri. I think not; we seek to put the responsibility on the party in charge, whoever it may be. As the gentleman from Illinois has said, you could not very well make the clerk or the stenographer responsible, for they have no control over it.

Mr. POWERS. Is it not true, under the wording of the bill, that you can not make anybody give publicity of how the money is spent except the people in actual charge of it, while anybody connected with the headquarters could expend it and there would be no law compelling the publicity?

Mr. RUCKER of Missouri. The purpose was to make the party in charge of the affairs make the publicity. It was not the purpose of the committee not to make each individual connected with it responsible, but the party in charge of the bureau.

Mr. POWERS. Does the gentleman think his bill is broad enough to cover money which is directed to be spent in connection with it other than by those in charge?

Mr. RUCKER of Missouri. I want to confess freely and publicly that when it comes to matters that pertain to the lavish expenditure of money in elections I can always be instructed and get information from gentlemen on that side of the House because they are more familiar with that practice. Whenever I get a good suggestion from that side I do not attribute it to any superior intellect, but to superior experience. [Laughter.]

Mr. POWERS. In answer to the gentleman I want to say that neither political party is entirely free from this accusation of spending money in elections. I want to say further that I propose to support the gentleman's bill as it now is, because I believe it is a step in the right direction. I would support it much more readily if the bill was so framed as to cover all persons and make responsible all people who spend money toward the corruption of elections. In my judgment that is one of the greatest dangers to the well-being and welfare of this country—that of corruptly influencing by money the procuring of nominations and elections.

Mr. RUCKER of Missouri. I am obliged to the gentleman, and I believe we can amend the bill so as to obviate his objection.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. RUCKER of Missouri. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has 28 minutes. Mr. MANN. And how much have I remaining?

The SPEAKER pro tempore. The gentleman from Illinois has 17 minutes.

Mr. RUCKER of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, the committee has not purposely been precipitate in reporting this measure, or in asking a special rule. The only reason why it is pressed at this time is the approach of a national election and our desire to have the legislation enacted in time for the approaching election.

The strictures of gentlemen opposed to this measure will not be when carefully examined, in my judgment. I would like to say on behalf of myself as a member of the committee that I would welcome, and I believe my colleagues would, as a number have so stated, any amendment that would improve the bill, especially in the line of strengthening it. I submit it to candid men that when a gentleman has not gotten far enough along where he can form in his own mind an amendment, he is hardly far enough along to condemn a measure. We will welcome any concrete suggestion to improve and perfect this measure and accept it if found meritorious.

Mr. POWERS. Will the gentleman yield?

Mr. HOBSON. I will.

Mr. POWERS. I would like to know what the gentleman thinks of this as an amendment. On page 1, line 4, after the word "of," add the words "or connected with," so it will read "that the president, chairman, secretary, manager, or other person in charge of or connected with any political headquarters, bureau or committee of any"—then strike out the word "political"—"organization or party which shall attempt to influence," and so forth.

Mr. HOBSON. Mr. Speaker, I think if we could frame that section so as to make it broader and stronger it would be advisable, but I have a question in my mind whether that particular amendment would accomplish the purpose. As was pointed out by gentlemen on that side, it might relieve or tend to relieve or divide the responsibility of the organization. You will find it a practice that is universal, if you wish to place responsibility, you must have a unit as a head. That is observed in all military and naval science. You must hold the captain of the ship responsible for the ship, even though it is his watch and division officer who causes the ship to run aground, and the only danger of that would be the scattering of the authority of an organization.

Mr. POWERS. Mr. Speaker, I beg to say to the gentleman that this proposed amendment does not at all relieve the responsibility of those in charge, but it includes others who may be guilty of corrupt practices.

Mr. HOBSON. As I understand, the gentleman would duplicate the reports—that is, practically everybody in the organization, as well as the chairman, would have to make a report.

Mr. POWERS. Not that, but make the law apply to anybody in the organization.

Mr. HOBSON. I believe if it were a question of using the money in corrupt practices, it ought to embrace that; but when it comes to a question of reporting, by the organization, it is clearly the responsible head of the organization who ought to be held responsible for the report. Otherwise the responsibility might be divided.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. LONGWORTH. Does not the gentleman think that, in line 4, after the word "bureau," there ought to be a semicolon, or at least that the word "the" ought to be inserted before the word "committee," because as the bill now reads it would seem that the president, chairman, secretary, and so forth, in charge of any political headquarters, bureau, or committee must do so and so. Is it intended that "committee" shall refer to persons in charge of a committee, or is it intended to refer to a committee which shall influence, and so forth? Does the gentleman catch my point? The word "which" is used after the word "party," and that word can not refer to the president, and so forth.

Mr. HOBSON. I see. I am not sure but that the punctuation might be improved.

Mr. LONGWORTH. The word "which" can not be construed to refer to the president, chairman, and so forth.

Mr. HOBSON. I think that ought to be straightened out.

Mr. LONGWORTH. Some amendment of that sort ought to be adopted.

Mr. HOBSON. Yes.

Mr. MURDOCK. Mr. Speaker, I would like to get the gentleman's idea of this proposed amendment, in line 5, page 1. Will he vote for an amendment taking the word "political," which now precedes the word "organization," and placing it before the word "party," so that it will read "committee of any organization or political party," and so forth?

Mr. HOBSON. Mr. Speaker, I would be glad to accept that. In my judgment, that would improve the bill.

Mr. RUCKER of Missouri. That has already been suggested. That is acceptable.

Mr. HOBSON. Mr. Speaker, the chairman of the committee remarks that that will be acceptable to him.

Mr. Speaker, this legislation is not new. The stricture of its being precipitate does not really lie. It is framed along the lines of the publicity legislation for Members of Congress. Of course it is true that this is a new field for the Federal Government to enter—that of undertaking to regulate the actions and activities of political parties. In fact, in considering this bill I believe it is the first time that a national convention or a national primary has been put upon the statute books of the United States, but while that is true, this reform legislation is not new and it is not precipitate. Already it is applied in most of the States of the Union. It has been applied successfully. The gentleman from Kansas [Mr. MURDOCK] refers to the imperfection of the enforcement of bills against corrupt practices, and that is true; but I will submit it to his observation that wherever publicity has been applied it has been effective.

Mr. MURDOCK. That is undoubtedly true.

Mr. HOBSON. And the beauty of this bill is that it does not undertake itself to prescribe various regulations, but does turn the searchlight of publicity upon the whole question.

Mr. MURDOCK. I want to say further to the gentleman that I would like to see this bill so amended that it would effectually reach the individual who enters a campaign for a

candidate corruptly, and I hope that amendment will be offered. I think that when that amendment is offered this bill will be a very thorough bill. I hope that amendment will be offered so that it will effectually reach the individual in this country who seeks to corrupt an election.

Mr. ANDERSON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. ANDERSON of Minnesota. I want to suggest to the gentleman that that would require every man who buys or furnishes bills for a political meeting—pays for advertising for a political meeting—to file the statement covered under this bill.

Mr. MURDOCK. No; I do not think necessarily so; my idea was to reach the great campaign contributions.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. HOBSON. May I have some more time? I have been answering questions most of my time.

Mr. HENRY of Texas. I will yield to the gentleman two more minutes.

Mr. HOBSON. Mr. Speaker, I want to say that this legislation is due; it is overdue. It applies a real germicidal medicine to the morbid and ill and diseased tissues that surround the brain and heart of the body politic and the body social. It does not apply anything that would hurt anything legitimate, but the fact is that in the last campaign even temporary and partial publicity tended to reduce the estimated expenses and expenditures from over five millions in 1904, by an expert estimator, down to less than two and a half millions or thereabouts. I believe this legislation is due, that it will tend more and more to put the control of the election of President and Vice President in this country in the hands of the people themselves, where it belongs. I believe, in fact, that further legislation is due. I believe that the President ought to be nominated and elected by a direct vote of the people [applause]; that the time has come for an amendment to the Constitution of the United States for the election of President and Vice President analogous to the election of Senators, and I believe that such an amendment written into the Constitution of the United States would give to the people the control of their Presidency and Vice Presidency. I have introduced a joint resolution, No. 162, which proposes an amendment to the Constitution providing not only for the election of the President by the people, but which also requires that the nomination of the President and Vice President by any party be made in a national primary.

The SPEAKER pro tempore. The time of the gentleman from Alabama has again expired.

Mr. MANN. Mr. Speaker, I yield five minutes to my colleague from Illinois [Mr. CANNON].

[Mr. CANNON addressed the House. See Appendix.]

Mr. MANN. Mr. Speaker, I yield three minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON of Minnesota. Mr. Speaker, I am in sympathy with the desire of many Members of the House to so amend this bill that it will require any person who spends money to secure or aid in securing the nomination or election of a candidate for President or Vice President of the United States to report his expenditures; but I am not willing that that provision should require, as it would under the suggestions made here, a man who spends money for a political meeting, in procuring and posting bills, and such little items, to make the statements required under this bill. If I have an opportunity and it is in order, it is my intention to offer an amendment to the bill. I shall offer to amend by striking out the words "president, chairman, secretary, manager, or other," in line 3, and the words "headquarters, bureau, or committee of any political organization or party," in lines 4 and 5, so that the section of the bill will read:

That any person in charge of any political committee which shall attempt to influence—

And so forth, and insert at the end of the section a new section to read as follows:

Any two or more persons who associate themselves together for the purpose of influencing or securing the nomination of any person as a candidate for President or Vice President of the United States or the election of any person to the office of President or Vice President of the United States shall be deemed a political committee under this act: *Provided*, That no such committee which expends less than \$100 for the purposes described herein shall be required to make the statements provided for herein.

The SPEAKER pro tempore. The time of the gentleman from Minnesota [Mr. ANDERSON] has expired.

Mr. MANN. I understand the gentleman from Missouri [Mr. RUCKER] intends to conclude with one speech on that side?

Mr. RUCKER of Missouri. With one speech.

Mr. MANN. I yield the balance of my time to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER. Mr. Speaker, in glancing over a morning paper a moment ago, I came upon an item which suggests a serious defect in the bill reported by the gentleman from Missouri [Mr. RUCKER]. The gentleman is from Missouri, and, as his remarks plainly showed, is very much interested in a Missouri candidate now before the country for nomination for President. But this item relates to a New Jersey candidate and to the fight upon him in his own State, and this bill does not meet a situation such as this item presents. I will read:

It was announced to-day that the Democrats will have an anti-Wilson ticket for national delegates in the second congressional district, largely as a result of the activity of Franklin Halliday, an emissary of former Senator James Smith, jr.

James Smith, jr., it is said, is a man of wealth, having back of him very powerful interests. Not long ago he and his powerful supporting interests were defeated in a political pitched battle by Gov. Wilson; but, according to this item, it is evident that James Smith, jr., is now giving money to Mr. Halliday in another effort to wreck Gov. Wilson's presidential aspiration. But the gentleman from Missouri [Mr. RUCKER] has brought in a bill that will not compel either James Smith, jr., or Mr. Halliday to report anything concerning the thousands of dollars they expended in this behalf.

Why did the gentleman from Missouri forget that?

This question is of very great importance, not only to the governor of New Jersey, but also to this House, because the law which we enact ought to stop the corrupt use of money not only by chairmen of organizations, but by individuals acting alone. Under this bill chairmen of organizations would be careful not to receive or disburse funds, but they would leave these things to individuals, who would keep secret the amount of money expended to nominate or to defeat the nomination of certain candidates. And, as is suggested, on this particular proposition "I am from Missouri" myself, and wish to be shown. [Laughter and applause.]

Mr. RUCKER of Missouri. Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. HENRY].

The SPEAKER pro tempore. The gentleman from Texas is recognized.

Mr. HENRY of Texas. Mr. Speaker, the gentleman from Illinois [Mr. CANNON] said that the press and the pulpit have greater influence than money. I thank God the honest press and the pulpit have greater power than money in America, and hope that his assertion is true, and will so remain. [Applause on the Democratic side.]

What we are trying to do by means of the proposed bill is to drag the corrupt contributors to campaign funds from their hiding places into the blazing light of publicity in order that all honest men may see who is financing campaigns. [Applause.]

The gentleman from Illinois [Mr. MANN] is now in great haste to pass a publicity bill, but complains that this bill is poorly drawn. If the subject is so important, and he has given it thorough study, why has he not proposed legislation before?

The gentleman from Illinois [Mr. CANNON] complains of bad faith and defects in the bill, and yet does not deign to point out a single instance where there is bad faith or any defect.

Why is it gentlemen are now complaining about this measure? The simple truth is that those who drew the bill conceived the idea that if you would make those in charge of the campaign committees responsible for the coming in, the going out, and publicity of the fund, you would be able to reach most of the evils, and reach them and cure to a large extent the troubles now afflicting the American people.

Let me call your attention to a few matters. It is in reply to what the gentleman from Wisconsin [Mr. COOPER] has just read about Democratic primaries. Let the country hear this statement going into the record of this day's proceedings, and let the people ponder what it means:

Using vast sums to nominate T. R. McKinley asserts—between \$250,000 and \$500,000 in Pennsylvania and \$200,000 in New York, according to Taft manager—"plain bribery and corruption"—says votes were bought in Oklahoma conventions—millionaires named as "Roosevelt guerrillas" include Pinchot, Perkins, Colby, Munsey, and others—Roosevelt declared to be himself a millionaire.

Yes, the day of reckoning has arrived; and Congress should condemn such corrupt contributions, if this article be true, and should force before the bar of public opinion men who would debase the electorate by spending a million dollars in order to nominate a candidate. [Applause on the Democratic side.]

The gentleman from Illinois [Mr. CANNON] knows Mr. McKINLEY, a Member of Congress from his own State. Are Mr. McKINLEY's charges true, that millions of dollars have been raised and expended to nominate Mr. Roosevelt? Are they au-

thentic? We would like to know. And I tell you, if you go further with us in a publicity bill, we will make it possible for you to have a summary inquiry instituted, as in the State of New York, and when charges like this are made by members of a campaign committee, or any person, we would instantly investigate them through court proceedings.

Mr. Speaker, we have no right to dispute the fact that Mr. McKINLEY's charges are literally true. I quote the language of the gentleman from Illinois [Mr. McKINLEY] as found in the statement. This seems to be an authorized interview, appearing in the New York World of recent date.

If Mr. McKINLEY's charges are true, he should prove them. If they are not, they should be disproved by Roosevelt's friends. The passage of this bill will give an opportunity to the chairmen and managers to file statements under oath of the contributions to the campaign and all the details of their expenditures. Will they do it? And this is the reason for the passage of this bill to-day.

Let me proceed further, quoting the exact language of Mr. McKINLEY. The question was asked him:

Were the victories of Roosevelt in Pennsylvania and Oklahoma due to a "great popular demand" for his renomination or to the use of money?

I will insert the entire article, containing the question and his reply thereto:

\*[Special to the World.]

WASHINGTON, April 18, 1912.

Director McKINLEY of the National Taft Bureau was asked to-day: "Were the victories of Roosevelt in Pennsylvania and Oklahoma due to a 'great popular demand' for his renomination or to the use of money?"

"The lavish expenditure of money in this campaign by the backers of former President Theodore Roosevelt," said Mr. McKINLEY, "has led to this question. In no previous pre-convention campaign in the history of this country has money been used in such large sums, amounting to plain bribery and corruption, as has been expended by the backers of Theodore Roosevelt."

It is of record, as told in the World this morning, that the Roosevelt League spent \$59,126 in a vain effort to carry the New York primaries for the colonel, and now Mr. McKINLEY charges that \$75 per vote was paid in the Oklahoma convention; that Roosevelt managers are using money under the guise of paying wages to workers, "another name for bribery," and that Roosevelt scrip "in due bills" to the extent of \$100,000 was used in Allegheny County (Pittsburgh), Pa.

SPENDING VAST SUMS.

"Between \$250,000 and \$500,000," Mr. McKINLEY said, "is a conservative estimate of the money spent by Roosevelt managers in Pennsylvania."

A sum approximating \$200,000 was spent in New York County alone on primary day in a vain effort to carry the county for Roosevelt.

Instances of the use of money in Illinois and Kentucky are given. "Where is all of this money coming from?" Mr. Taft's manager was asked. For answer he said:

"It must not be forgotten that among the undertrappers in the Roosevelt camp are a number of millionaires who constitute the 'Roosevelt guerrillas' and who roam about from State to State—most of it new territory to them—and tell the voters what to do. Among this number are Gifford Pinchot, the owner of inherited millions; John F. Bass, brother of the governor of New Hampshire; Everett Colby, of New Jersey; George W. Perkins, of the United States Steel Corporation and the International Harvester Co., who is generally credited with raising more money for Mr. Roosevelt than any other three men; Frank A. Munsey, of New York, an owner of steel common stocks; Gov. Chase S. Osborn and Truman P. Newberry, of Michigan; Chauncey Dewey and Alexander Revell, of Chicago; Thomas Niedringhaus, of St. Louis; Walter Dickey, of Kansas City; and a host of others. Every man in this list is a millionaire, some of them several times over, and all are spending their money like water for Mr. Roosevelt."

ROOSEVELT A MILLIONAIRE.

"Mr. Roosevelt is himself a millionaire. While he left the White House ostensibly 'broke,' it has recently come to light that as a result of his two terms in the White House he has found politics a profitable investment, and his publications have paid him in royalties a sum of money exceeding half a million dollars alone."

"Another contributor is Alexander S. Corcoran, an associate of William L. Ward, of Westchester County, and the largest stockholder in the greatest carpet factory in America. Corcoran knows all about Schedule K and where it hits the carpet manufacturer."

"The certified statement filed at Albany also shows that R. P. Perkins and A. Foster Higgins, both carpet manufacturers, and therefore not strangers to Schedule K contributed \$1,000 apiece. Others who came to the aid of Col. Roosevelt with large sums are: George Baxter, \$5,000; H. L. Stoddard, \$2,500; Charles H. Duell, \$1,600; E. H. Hooker, \$1,000; with Oscar Straus and Baron L. Smith, \$500 each."

Mr. Speaker, if Mr. McKINLEY's charges be true, that this nomination is literally being purchased by money contributed to Mr. Roosevelt's campaign, the American people ought to know it; and if the charges that are made by Mr. Roosevelt's managers against Mr. Taft's managers are true, we are entitled to know it; and you gentlemen, instead of quibbling about verbiage, ought to help us pass this bill. It will require a verified statement from Mr. McKINLEY and a statement under oath from Senator Dixon, of Montana. It will furnish machinery in order that we may know if the American electorate is to be corrupted by money.

Mr. CAMPBELL. The gentleman would not confine the statement to these two gentlemen, would he?

Mr. HENRY of Texas. O Mr. Speaker, if it be true, and the managers of these gentlemen file sworn statements in accordance with the facts, there will be nothing left for the candidates of the Republican Party, whether Roosevelt or Taft, to stand upon before the people in November. [Applause on the Democratic side.]

Gentlemen are anxious now to pass a publicity bill, but this one does not suit the gentleman from Illinois [Mr. CANNON], ex-Speaker of the House, because it is too crude. He did not point out a single defect. It does not suit the gentleman from Illinois [Mr. MANN], the minority leader. It does not please some other gentlemen; but I say to you that if it is passed, and by requiring sworn statements from Senator Dixon and Mr. McKINLEY it uncovers the facts that are, from what seem to be authentic sources, true and must be true, we will have rendered a public service, and the country will rise up and call this Congress blessed and know that we are legislating in their behalf. [Applause on the Democratic side.]

It is easy to make suggestions about this, that, or the other thing in any bill. The truth is that this is entirely new legislative domain. We had passed a bill requiring publicity in regard to nominations for Representatives in Congress and the election of Senators, and the choice of electors in the various States when the President and Vice President are to be chosen; but here is a novel proposition, in which it was necessary to draft a measure requiring those in charge of political campaigns to file statements of the amounts of money contributed to aid in their nomination. It is a difficult problem; but when you once establish the principle that publicity must be given as to the method, amounts expended, and the details in securing of nominations, you have brought about beneficial results.

One gentleman says you ought to require the "candidate" for President to file a statement. Think of that high office, gentlemen. There are no candidates for President. "Candidates" for President are always sought by the people and nominated by the voters. [Laughter.] At least, on this side we have no candidates. [Cries of "Oh!" on the Republican side.]

Mr. MANN. You have no candidate who has a chance.

Mr. HENRY of Texas. But I believe, Mr. Speaker, that Theodore Africanus, the Mad Mullah of African hunting fame, did announce himself as a candidate.

Mr. MANN. And if he is nominated he will beat you to death.

Mr. HENRY of Texas. Mr. Speaker, the gentleman from Illinois [Mr. MANN] says if he is nominated he will beat us to death. [Prolonged applause on the Republican side.]

To observe the standpatters on that side of the House applaud Roosevelt is enough to make the angels weep. [Laughter and applause on the Democratic side.] Mr. Speaker, I make this prediction, that whether it be Mr. Roosevelt or Taft whose friends are being charged with purchasing this nomination, when we place our nominee before the voters, whether it be [cries of "CLARK! CLARK!"] the Speaker of this House or any other good Democrat, he will win the Presidency. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired. All time has expired.

Mr. HENRY of Texas. Mr. Speaker, I ask unanimous consent that all Members be allowed to extend their remarks in the RECORD for five legislative days on this subject.

Mr. MANN. I object. You gentlemen limited the time of debate to two hours.

The SPEAKER. It seems to the Chair that the most orderly way to proceed with the amendment is to report the committee amendments first and then take up the other amendments.

Mr. FOWLER. Mr. Speaker, the bill under consideration provides for the publicity of campaign expenses used in the primary election for the purpose of aiding or assisting in nominating candidates for President of the United States. While the bill is not drawn with the same kind of accuracy and precision as I think it ought to be, yet I shall vote for it as it came from the hands of the committee, although no amendments are agreed to by the House; still, I hope to see it amended, extending the scope of its provisions. I have long favored such legislation, because I believe that it is in the right direction. Ever since I have been paying any attention to politics no man has been elected President of the United States who has not been supported by the money power. The time is now ripe for the publicity of contributions made by all men who become interested in candidates for the Presidency. Mr. Speaker, as I view the matter, the people of this country have a right to know by what kind of methods candidates are nominated and what means are used thereafter to elect such candidates to the high position of President of the United States. There is a law already on

the statute books providing for the publication of contributions to campaign expenses of presidential candidates after the nomination, but there is no law now providing for the publicity of such contributions for the nomination of presidential candidates.

If the newspapers are to be relied upon there is now a tremendous effort going on throughout the country in every State of the Union for the purpose of nominating candidates for the Presidency. It is even charged, Mr. Chairman, that some of these candidates are supported by millionaires, who are freely contributing money and means for the purpose of nominating certain gentlemen. I grant, Mr. Chairman, that there are expenses necessary to be made in primary campaigns, but such expenses should be confined to legitimate and business methods in conducting campaigns. But under no circumstances should money be used for the purpose of corrupting the electorate. To buy a vote in a primary campaign is just as great a sin as to buy a vote in the final campaign, and there ought to be just as strong a law providing against the one as there is against the other.

Mr. Chairman, if the interests of this country are determined to spend big money in order to nominate certain men for the Presidency, the people of this country have a right to know the names of all such men and the amount of money contributed by each. Our forefathers in organizing our system of government did so upon the theory that the people of this country would hunt candidates for the Presidency, but it seems now that instead of the people hunting a candidate for this high position, the big interests of the country have run mad in their efforts to nominate candidates who would be favorable to them after the election.

The will of the people, Mr. Chairman, is thereby defeated, and if this method is pursued in nominating all of the men who run for President there will be nothing left for the people to do after the nominations are made except to vote for some man selected by the interests. The stability of our Government rests upon the sterling, moral conduct of its citizenship, and the moral plane of our national life can rise no higher than the moral plane of our citizenship. If we permit debauchery and corruption to be practiced in the nomination of a candidate for the highest office in the gift of the people, we may expect the same thing to take place in the nomination and election of candidates to the lower positions of trust. I trust, Mr. Chairman, that this bill will pass and that it will be a warning to those men of big means who have strayed far away from the path of national duty by using money for the purpose of corrupting the electorate, both in nominating and electing candidates to the highest place of power and influence in the gift of the people.

Let us make a record now by passing this bill, which will go down in history as the turning point against evil practices which have been tolerated by political parties in the past. Let us provide the means whereby the flood light of publicity may be turned on party conduct and party management, so that hereafter the political wrongdoer may be exposed and punished and finally driven out of the councils of all decent politics. Sparta was one of the few cities in ancient times unprotected by strong walls, yet it was her greatest boast that her defense rested in the physical strength and courage of her male citizens and their loyalty to and love for the Spartan cause. Let it be our greatest boast that we have built up an electorate based upon the purity of the ballot, granting special privileges to none, but guaranteeing equal and exact justice to all, and forever settling the question that this is in truth a government of the people by the people and for the people.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 2, line 21, strike out the word "thirty" and insert the word "ten."

The committee amendment was agreed to.

Mr. KOPP. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 5, after the word "which," add the following: "and every individual who," so that it will read "any political organization or party which, and every individual who, shall attempt"—

And so forth.

The amendment was agreed to.

Mr. BATHRICK. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

After line 7, page 5, insert as a new section the following:

"Every person who shall be a candidate for nomination at any primary or general election or nominating convention for the office of President or Vice President of the United States shall, not less than 15 days before the day for holding any such primary or general election or nominating convention and within 30 days next after the holding of such primary or general election or nominating convention, file with the Secretary of the United States Senate at Washington, D. C., a full,

correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part in sums in excess of \$100; and such statement shall contain a true and itemized account of all moneys contributed, expended, used, or promised by such candidate, or by his agent or representative, together with the names of all those to whom promises of office or other position are made for the purpose of securing influence or support in such elections or conventions, and the names of all those to whom any gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election."

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. BATHRICK) there were 101 ayes and 24 noes.

So the amendment was agreed to.

Mr. KOPP. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 11, after the word "committee," add the following: "and every such individual contributor."

The question was taken, and the amendment was agreed to.

Mr. BURLESON. Mr. Speaker, I move to strike out the word "political," in line 5, page 1, and insert the same word before the word "party" in the same line.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, strike out the word "political" before the word "organization" and insert the same word before the word "party" in the same line.

The question was taken, and the amendment was agreed to.

Mr. KOPP. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 24, after the word "committee," add the following: "and every individual contributor."

The amendment was agreed to.

Mr. BURLESON. Mr. Speaker, I move to amend, in line 3, page 1, by striking out the words "president, chairman, secretary, manager, or other."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, strike out the words "president, chairman, secretary, manager, or other."

The question was taken, and the Chair announced that the ayes had it.

Mr. RUCKER of Missouri. Mr. Speaker, I call for a division. I want to see if the House wants to kill this bill.

Mr. MANN. I make the point of order that debate is not in order.

The SPEAKER. Debate is not in order.

The House divided, and there were—79 ayes and 67 noes.

Mr. RUCKER of Missouri. Mr. Speaker, I call for tellers. I want to see if this House really wants to kill this bill.

Tellers were ordered, and the Chair appointed as tellers Mr. RUCKER of Missouri and Mr. MANN.

The House again divided; and the tellers reported—ayes 78, noes 88.

So the amendment was rejected.

Mr. KOPP. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 20, after the word "thereof," add the following: "Or to any person or persons in behalf of any such candidate."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 3, strike out the word "other," at the end of the line, and insert in lieu thereof the word "any."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FULLER. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend section 3 so that it shall read as follows:  
"That any person herein required to file any statement who shall willfully neglect or refuse to file such statement within the time specified, or who shall willfully make any false statement therein, or willfully conceal any fact required to be stated, shall, upon conviction thereof, be fined not exceeding \$5,000 or be imprisoned not more than three years, or both."

The SPEAKER. The question is on agreeing to the amendment.

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that the amendment be again reported.

The SPEAKER. Without objection, the Clerk will again report the amendment.

There was no objection and the Clerk again reported the amendment.

Mr. HOBSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOBSON. Does that supersede the section as stated in the bill, or does it supplement it?

The SPEAKER. That is not a parliamentary inquiry.

Mr. MANN. Mr. Speaker, I demand the regular order.

The question was taken; and on a division (demanded by Mr. RUCKER of Missouri) there were—ayes 105, noes 0.

So the amendment was agreed to.

Mr. RUCKER of Missouri. Mr. Speaker, I move to amend line 10, page 2, by striking out the word "other."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 10, strike out the word "other" at the beginning of the line.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. RUCKER of Missouri. Mr. Speaker, I move the same amendment with respect to the word "other," in line 23, page 2.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 23, strike out the word "other."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. KOPP. Mr. Speaker, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 4, line 13, after the word "thereof," add the words "or any individual."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. KOPP. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 4, line 23, after the word "thereof," add the words "or by any individual."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. RUCKER of Missouri. Mr. Speaker, I move to amend line 18, on page 3, by striking out the word "other."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 18, strike out the word "other."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. KOPP. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 7, after the word "thereof," add the words "or by any individual."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. KOPP. Mr. Speaker, I move to amend, page 5, line 7, by striking out the period and inserting a comma.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 7, strike out the period and insert in lieu thereof a comma.

The question was taken, and the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment.

Mr. BUCHANAN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. BUCHANAN. To offer an amendment.

The SPEAKER. There is one pending now. The Clerk will report the amendment of the gentleman from Pennsylvania.

The Clerk read as follows:

Line 4, page 1, strike out "any person" and insert "the financial manager."

The question was taken, and the amendment was rejected.

Mr. BUCHANAN. Mr. Speaker, I move to amend, page 4, line 1, by striking out the word "other."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 1, strike out the word "other."

The question was taken, and the amendment was agreed to.

Mr. BUCHANAN. Mr. Speaker, I also desire to move an amendment, on page 4, line 6, by striking out the word "other."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 6, strike out the word "other."

The question was taken, and the amendment was agreed to.

Mr. LANGLEY. Mr. Speaker, I desire to offer an amendment to strike out any other "other" that may appear in the bill.

The SPEAKER. The amendment of the gentleman is out of order.

Mr. BUCHANAN. Mr. Speaker, I desire to move to amend by striking out the word "other," on page 4, line 11.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 11, strike out the word "other."

The question was taken, and the amendment was agreed to.

Mr. BUCHANAN. Mr. Speaker, I move to amend by striking out the word "other," on page 4, line 21.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 21, strike out the word "other."

The question was taken, and the amendment was agreed to.

Mr. LOBECK. On page 5, line 5, I move to strike out the word "other." [Laughter.]

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 5, strike out the word "other."

Mr. LANGLEY. Mr. Speaker, I make the point of order that motion has already been adopted.

The SPEAKER. The point of order is overruled.

The question was taken, and the amendment was agreed to.

Mr. RUCKER of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER of Missouri. Is there any other place in this bill where the word "other" ought to be stricken out?

The SPEAKER. The Chair does not know.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Line 4, page 1, strike out the words "any person" and insert in lieu thereof the words "the janitor."

[Laughter.]

The question was taken, and the amendment was rejected.

Mr. RUCKER of Missouri. Mr. Speaker, on page 2, line 4, I move to amend by inserting, after the word "such," the words "organization or."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 4, after the word "such," insert the words "organization or."

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

Mr. RUCKER of Missouri. Mr. Speaker, I ask unanimous consent to withdraw that amendment. I will state frankly it was offered by a gentleman on that side—

The SPEAKER. The gentleman does not have to ask unanimous consent; the gentleman has a right to withdraw his amendment.

Mr. RUCKER of Missouri. I withdraw it.

The SPEAKER. It is withdrawn. The question is on the engrossment and third reading of the bill.

Mr. SAMUEL W. SMITH. Mr. Speaker, I ask unanimous consent that the bill as amended be read, so we may know what we are voting on. [Cries of "Regular order!"]

Mr. ADAIR. Mr. Speaker, I object.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RUCKER of Missouri, a motion to reconsider the vote by which the bill was passed was laid on the table.

MR. CARL LEGIEN.

Mr. WILSON of Pennsylvania. Mr. Speaker, there is present in this country as a guest of the American labor movement a gentleman who is a member of the German Reichstag, president of the Federation of Trades Unions of Germany, and holding the highest official position in the labor movement of the world, the secretaryship of the International Secretariat, Mr. Carl Legien, of Germany.

I ask unanimous consent that the House take a recess of 15 minutes to hear and to meet Mr. Legien.

Mr. MANN. How long?

Mr. WILSON of Pennsylvania. Fifteen minutes.

The SPEAKER. The gentleman from Pennsylvania [Mr. Wilson] asks unanimous consent that the House take a recess for 15 minutes to hear and meet the gentleman named.

Mr. MANN. Mr. Speaker, reserving the right to object, I want to say that I shall not make any distinction between this case and other cases which have been presented to the House, but I think that hereafter I shall object to all such requests.

Mr. BERGER. Mr. Speaker, some time ago in a similar case I withdrew my objection, and I was assured at that time that if any prominent labor man or parliamentarian of another country should come to our shores we would pay to him such honors as were paid to the gentleman then to be presented.

Mr. MANN. And this is the case?

Mr. BERGER. Yes, sir. I want to say the gentleman is 1 of 110 of the Socialists elected in Germany this year, and that you will have a chance to hear a genuine Socialist from Germany.

Mr. MANN. We have had that frequently in the House. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Accordingly (at 3 o'clock and 8 minutes p. m.) the House stood in recess for 15 minutes.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

LEAVE OF ABSENCE.

By unanimous consent, Mr. HARDWICK was granted leave of absence for 10 days, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent Mr. FLOYD of Arkansas was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of W. W. Hixson, H. R. 16622, Sixty-first Congress, no adverse report having been made thereon.

POST OFFICE APPROPRIATION BILL.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill (H. R. 21279). And pending that motion I ask unanimous consent that the general debate provided for in the special rule be deferred until we reach the subject matter of the rule. In other words, that we proceed with the bill now under the five-minute rule until we reach the new legislation in the bill.

Mr. MANN. Reserving the right to object, that request is too indefinite for me to agree to.

Mr. MOON of Tennessee. In what respect?

Mr. MURDOCK. Mr. Speaker, what is the gentleman's request?

The SPEAKER. The gentleman's request is that we proceed with the debate under the 5-minute rule until we come to the sections involved in the 20 hours' general debate, and then the debate shall take place.

Mr. MURDOCK. The rule provides that immediately on adoption of the rule the House, in Committee of the Whole House on the state of the Union, will have five hours' general debate on all new legislation in the bill save parcel post.

The SPEAKER. But the gentleman from Tennessee is asking unanimous consent to modify that rule in that regard.

Mr. MANN. Mr. Speaker, I had a copy of the rule here—

The SPEAKER. There is not any question as to what the rule says.

Mr. MANN. I understand. But the gentleman's request now is to postpone five hours' general debate upon everything except the express and parcel post. Now, the gentleman wishes to postpone that until these items are to be reached in the bill. But they do not come together in the bill. One of the items is to be inserted on page 19, as I recall it.

Mr. BARNHART. Page 15.

The SPEAKER. If the gentlemen will permit a suggestion, if they want to do what the gentleman from Tennessee [Mr. Moon] wants done, the Chair would suggest that the gentleman from Tennessee change his request so as to get through with the five-minute debate on the bill and then take up these other matters.

Mr. MOON of Tennessee. If the Chair will recollect, that is about what I said, namely, that we proceed under the 5-minute

rule until we reach the new matter in the bill, provided in the special rule, and let the debate of 20 hours be had.

The SPEAKER. Fifteen hours?

Mr. MOON of Tennessee. Five hours for certain matters and 15 hours for other matters.

The SPEAKER. The request of the gentleman from Tennessee, then, is this, as the Chair understands it, namely, to take up this bill under the 5-minute rule and dispose of all of it under the 5-minute rule except the matters dealt with in the special rule adopted Thursday, and then have the 20 hours' debate.

Mr. SIMS. And then vote?

The SPEAKER. And then vote.

Mr. MOON of Tennessee. I see what the point of the gentleman from Illinois is—that one section of the new matter that occurs before we get to the second section of the bill—and I am willing to modify the request I have made so as to pass over that particular matter on page 19 until we get to the second section.

Mr. MURDOCK. What is that matter on page 19?

Mr. MANN. Well, there is the steel-car item on page 19 and another amendment proposed on page 25, all of which comes in before the legislative provisions of the bill.

Mr. BARNHART. And one on page 28.

Mr. MANN. That would come in after the other provisions. The amendment proposed on page 25 would take five hours' debate, if it were permissible at that time.

Mr. MOON of Tennessee. The gentleman will notice in the bill that the second section of the bill is the beginning of the new matter, except the matter in reference to the steel cars.

Mr. MANN. I understand. The order makes in order the legislative provisions of the bill.

Mr. MOON of Tennessee. Yes.

Mr. MANN. That commences with section 2. Also it makes in order two or three provisions in the bill prior to that time.

Mr. MOON of Tennessee. Those sections I desire to pass over until we reach that point.

Mr. MANN. And it makes in order the amendment on the country-roads proposition on page 25. How are you going to divide up the time on these extraneous matters other than the parcel post?

Mr. MOON of Tennessee. The idea is to pass over them without considering them, and to consider them after general debate.

Mr. MANN. Is there not some way by which we could use the time under the five-minute rule on this instead of using it under general debate, when everybody knows that on half a dozen matters here that will have to be discussed in the five hours under the rule the opportunity for discussion under general debate will be of no value to anyone?

Mr. MOON of Tennessee. I understand that. I am afraid the gentleman from Illinois does not understand me. The routine parts of the bill ought to be passed on before we reach the new legislation, and the debate on the new legislation should occur immediately preceding the taking up of that new legislation under the five-minute rule.

Mr. MANN. As I understand the gentleman's request now, it is to proceed with the reading of the bill under the five-minute rule, and these matters that are made in order by the special rule shall be passed over, when the places are reached in the bill, until section 2 is reached?

Mr. MOON of Tennessee. That is right.

Mr. MANN. Then you go back to the first item in the bill where it occurs, on through the pages here where the amendments would be offered?

Mr. MOON of Tennessee. Yes.

Mr. MANN. I shall not object to that, but I hope the gentleman will formulate some plan whereby there may be more time given under the five-minute rule, where there will be somebody to listen, and less time under the five-hour plan, where no one will be present to listen except those who will be doing the talking.

Mr. MOON of Tennessee. I desire to take up the 5-minute debate, and then the 5-hour and 15-hour debates provided in the rule.

Mr. MANN. There are a dozen propositions to be taken up under the five-hour debate.

Mr. SIMS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Tennessee yield to his colleague?

Mr. MOON of Tennessee. Yes.

Mr. SIMS. I would like to ask the gentleman from Tennessee a question, and I would like to have the gentleman from Illinois also hear this: The rule requires 5 hours' debate to

cover all this new legislation except the parcel post and postal express, as I understand it, and yet that general debate occurs before the 15 hours begin. Now, at the end of 5 hours shall all these matters covered by these 5 hours of debate be taken up and voted upon before we have the 15-hour debate, and then take up the other propositions?

Mr. MOON of Tennessee. No. The purpose of the motion is to avoid three general debates on the one bill.

Mr. SIMS. That is what I want to avoid.

Mr. MOON of Tennessee. Let us have the general debate all at one time.

Mr. SIMS. That is what I am in favor of. The gentleman's request did not embrace that specifically.

Mr. MOON of Tennessee. Oh, yes; it did.

Mr. SIMS. I wanted it to be just as my colleague said.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Kansas?

Mr. MOON of Tennessee. Yes.

Mr. MURDOCK. The rule provided for 5 hours' general debate at the point in the Post Office appropriation bill where we cease consideration of it under the 5-minute rule. That 5 hours' time was to be devoted to general debate on all new legislation contained in the rule, save two pieces of new legislation relating to parcel post and parcel express, and, as I read the rule, after that 5 hours of general debate on those subjects we were to continue the reading of the bill and its consideration under the 5-minute rule, and at the expiration of that consideration we were to go into general debate for 15 hours.

Mr. MOON of Tennessee. That is, after we reach section 8.

Mr. MURDOCK. Is that the understanding of the gentleman?

Mr. MOON of Tennessee. Yes.

Mr. MURDOCK. That was the rule we adopted. Now, I would like to ask the gentleman about the construction of the rule in reference to railway mail cars, on page 19. If we take up his request and go on with the consideration of this bill under the five-minute rule—

Mr. MOON of Tennessee. If the gentleman from Kansas will allow me—

Mr. MURDOCK. Just a moment. When do we reach the consideration of railway mail cars? That is, under the five-minute rule?

Mr. MOON of Tennessee. That has all been explained twice now.

Mr. MURDOCK. I listened very intently, and I did not understand it.

Mr. MOON of Tennessee. That it shall be passed over until after the general debate, so that all new matter may be taken up at once.

Mr. SIMS. All general debate?

Mr. MOON of Tennessee. Yes.

Mr. MADDEN. I want to see whether I understand the thing or not. The proposition of the gentleman from Tennessee is that we shall read the bill under the five-minute rule now?

Mr. MOON of Tennessee. Yes.

Mr. MADDEN. And whenever a new legislative provision is reached in the bill that that be passed over?

Mr. MOON of Tennessee. Yes.

Mr. MADDEN. Until the appropriation features of the bill are disposed of?

Mr. MOON of Tennessee. Yes.

Mr. MADDEN. And that all legislative features of the bill be taken up in their order, first under the 5-hour debate and then under the 15-hour debate?

Mr. MOON of Tennessee. Yes; that we have all the debate together.

Mr. MURDOCK. I should like to ask the gentleman when the provision on page 19, relating to the construction of mail cars, will be open for amendment under the five-minute rule?

Mr. MOON of Tennessee. That section, when reached, will be passed until after the general debate. Then we go back to it and take it up for amendment under the five-minute rule.

Mr. MURDOCK. Then, as we proceed now under the five-minute rule, we will touch no new legislation in the bill?

Mr. MOON of Tennessee. None whatever; and I want to say that the main reason for running the 5 hours and the 15 hours together, instead of separating them, as was done in the rule, is that it will give a better opportunity to gentlemen to discuss every feature of it as they see fit and not force us to divide up the different items. In other words, there will be 20 hours' general debate.

Mr. SIMS. Unbroken?

Mr. MOON of Tennessee. Unbroken.

Mr. MOORE of Pennsylvania. Some gentlemen have gone away who are interested in these legislative provisions, having the understanding that we would have only general debate to-day. Getting down to brass tacks, as it were, I should like to know whether the understanding of the gentleman is that we will not take up any of these legislative matters this afternoon?

Mr. MOON of Tennessee. We can not take them up if we proceed with the general debate, nor could we take them up if we proceed with the bill under the five-minute rule, because we could not reach them to-day.

Mr. MOORE of Pennsylvania. The gentleman says we can not take them up to-day. That answers the question.

Mr. MANN. It depends on where they come.

Mr. TRIBBLE. Mr. Speaker, there will be an amendment introduced in reference to increase of pay of the rural carriers.

Mr. BARTLETT. There is already an increase in the bill.

Mr. TRIBBLE. I propose to introduce an amendment increasing it more than the bill carries. At what time will that be in order—before we have the 20 hours' debate or will it be in order as we read the bill?

Mr. MOON of Tennessee. If the request now made is acceded to, we will finish the bill except these new matters of legislation, and then have the general debate, and then the five-minute debate upon them.

Mr. TRIBBLE. The gentleman does not answer my question. When will the amendment I propose to introduce increasing the pay be in order; when we read the bill or after we get through reading the bill?

Mr. MOON of Tennessee. It will not be in order until after the general debate, when we reach it under the five-minute rule.

Mr. SMITH of Michigan. I should like to ask the gentleman—

Mr. MOON of Tennessee. If we are to take up all the afternoon in discussing this simple question, I believe I will withdraw the request.

SEVERAL MEMBERS. Oh, no; do not withdraw it.

Mr. SAMUEL W. SMITH. When the time comes for the 20 hours' general debate, is the gentleman going to insist that the debate be confined strictly to the provisions of this bill?

Mr. MOON of Tennessee. No; I am not going to enforce any limit on that. Gentlemen may talk on anything they want to, just so they consume the time and get through with it.

Mr. SAMUEL W. SMITH. I have no desire to talk about anything else, but I wanted to know whether the rule would be enforced.

The SPEAKER. If the Chair understands the request of the gentleman from Tennessee [Mr. Moon], it is that we proceed with the debate under the five-minute rule clear through the bill, excepting out of it these controverted questions that were put into the rule adopted last Thursday, and when the discussion of the rest of the bill under the five-minute rule is finished, then that the 20 hours of general debate shall ensue, and then read those propositions under the five-minute rule.

Mr. GREEN of Iowa. Mr. Speaker, I would like to inquire if, after the general debate, we do not proceed under the five-minute rule with reference to the new provision?

The SPEAKER. Of course; that has already been stated. Is there objection to the request of the gentleman from Tennessee [Mr. Moon] for unanimous consent on the proposition just stated by the Chair?

There was no objection.

The motion of Mr. Moon of Tennessee to go into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill, and the Clerk will continue the reading of the bill.

The Clerk read as follows:

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL.

For inland transportation by star routes in Alaska, \$250,000: *Provided*, That out of this appropriation the Postmaster General is authorized to provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor.

Mr. MOON of Tennessee. Mr. Chairman, I ask unanimous consent that this provision, together with lines 24 and 25, page 16, be passed over until we can get an amendment prepared.

Mr. MANN. Reserving the right to object, I want to say that the gentleman from Missouri [Mr. Bartholdt] went away supposing that this day would be devoted to general debate.

He desires to offer an amendment, which I think would not be objected to, just ahead of line 16, page 16. Does the gentleman from Tennessee have any objection to recurring to that part of the bill when the gentleman from Missouri returns?

Mr. MOON of Tennessee. I have no objection to recurring to it.

Mr. MANN. Then, Mr. Chairman, I ask unanimous consent that it may be in order for the gentleman from Missouri [Mr. Bartholdt] to offer an amendment, which he has prepared, after line 15, page 16.

Mr. MOON of Tennessee. I think I know what the gentleman's amendment is, and there will be no objection to it.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Missouri [Mr. Bartholdt] may have the right when he returns to offer an amendment at the end of line 15, page 16. Is there objection?

Mr. MURDOCK. Reserving the right to object, I want to know the exact location of the amendment.

Mr. MANN. It comes in after line 15, page 16.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. Does the request of the gentleman from Tennessee include lines 24 and 25, on page 16?

Mr. MOON of Tennessee. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

Mr. SHARP. Mr. Chairman, I would like to inquire how much is included in this paragraph. I have an amendment that I wish to offer.

The CHAIRMAN. The Chair will state that if the paragraph is passed by for the purpose of offering an amendment the gentleman from Ohio will have an opportunity to offer his amendment.

Mr. MANN. Passing the paragraph does not affect the gentleman's right to offer an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

For the transmission of mail by pneumatic tubes or other similar devices, \$987,400.

Mr. SHARP. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 17, by inserting, after line 5, a new paragraph, to read as follows:

"For the transportation of mail by aeroplane or other air craft, \$50,000."

Mr. SHARP. Mr. Chairman, I wish to say in this connection that this subject of transportation of mail by aeroplane or other air craft was recommended by the Post Office Department to the consideration of the committee. After making careful investigation as to the possibilities of this comparatively new method of transporting mail they asked the committee to make a recommendation incorporating in its bill the sum of \$50,000 to be expended for that purpose. I have not the slightest criticism to make of the members of this committee, for I think they have discharged their duty in a most conscientious manner, but I notice of the larger cuts in the appropriation from the estimates that under the Second Assistant Postmaster General's department is very much the largest, amounting to something over \$740,000.

I do not wish to pose as a prophet, but I am going to take this occasion to say that inside of the next 12 months—at the furthest the next 2 years—we will find that the subject of transporting the mail by aeroplane or via the air route will demand a very important part of the attention of Congress in making up future appropriation bills for the Post Office Department.

I had a conversation this morning with the Second Assistant Postmaster General, and he told me that there were not a few places in the western country, along the Grand Canyon of Colorado and New Mexico, in which there are needs for this method of transporting the mail, and where it had been and is to-day practically impossible to send any mail whatever with any regularity or convenience.

He also volunteered the statement that a number of postal clerks had volunteered their services and wanted to enlist for this special field of aviation. It is not an untried experiment. It is true Congress has not seen fit to make any such appropriation, although I do not think it has been asked, until in the framing of this bill, to appropriate money for this service. Last fall Postmaster General Hitchcock experimented in a most satisfactory manner with the carrying of mail by aeroplane.

During the 10 days that those experiments were under way over 40,000 pieces of mail were carried satisfactorily, without delay and without a hitch. The same experiments had been conducted a few weeks prior to that in England and also in France. I would like very much, though it is somewhat foreign to this purpose, to go into the possibilities of aviation in our naval and war operations, and also from a commercial point of view, as well as its value in future scientific research. However, in the limited time that I have to speak upon this amendment I shall confine my remarks strictly to the possibilities, nay, the probabilities, of the value of this kind of service as applied to the transportation of the mail.

The field of aviation has been already so far explored in the way of experiments that they have succeeded in traveling several hundred miles without stopping, and also in carrying a weight considerably in excess of 1,000 pounds. It is recorded that a little more than a year ago a flight from London to Paris, a distance of 230 miles, was made without a stop by a French aviator in less than three hours, one half the time it would take an ordinary express train to make the distance.

Aviation is relatively yet in its infancy. I believe the time will come when it will be possible for us to rapidly transport by this means of locomotion thousands of pounds of mail. The cost of aeroplanes is so insignificant that it is hardly worth mentioning. Gen. Allen, of the Signal Corps, told me the other day that he could get the very best aeroplanes made in this country for \$5,000, and that if some of the foreign equipments with superior engines were purchased the cost would be \$6,000, part of which would go back into the pockets of the Government in the shape of revenue duties.

Most of our efforts in framing the appropriation bills at this session have been in the way of economy, and I wish to say to the credit of my colleagues on this floor, that notwithstanding there would seem to be at times a popular impression abroad that Congress is not working for economy in the administration of public affairs, yet few if any measures calling for the expenditure of public money are allowed to pass without the most careful scrutiny. Nowhere can we bring about economical conditions more than along this line of encouraging and developing competition with railway companies and steamboat companies in the carrying of mails.

[The time of Mr. SHARP having expired, by unanimous consent he was granted five minutes more.]

Mr. SHARP. To-day we are paying the railway companies in the United States something like \$47,000,000 annually for transporting our mail. In addition to that great sum we are paying, as provided for in this bill, if I remember correctly, nearly \$4,800,000 for the rental of postal cars. Let me say that this modest sum of \$50,000 is not to be expended in an entirely new field, involving additional expense. The Second Assistant Postmaster General, Mr. Stewart, tells me that much of this would be in substitution of the money already used in the star routes over the far West, where the natural obstacles due to the topography of the country are such as to render almost impossible the carrying of mail at any reasonable price or with expedition.

It seems to me that in the line of economy this Congress can not make a better stroke or take a greater step in advance than to now give the department the sum of \$50,000, which it has asked, partly, if you please, experimental, but practically withal, to facilitate the carrying of mail. I am told by the department that it is not the intention to buy these aeroplanes, but simply to make a contract with those who will carry the mail at certain prices under time schedules, and already in 20 different instances I have been informed mail has been carried voluntarily, free of cost, by aviators of the country to test the practicability of such a thing. Only last fall a trip was made down the Mississippi River from upper Minnesota somewhere, a distance of 300 miles, with loaded mail sacks. We know what that later invention—the hydroplane—has accomplished. I think this bill appropriates specifically a considerable amount for transportation by water. If we invest this sum of money in the hiring of aeroplanes, hydroplanes, and other air craft, as contemplated in this amendment, I believe that it will be the first step not only in largely revolutionizing our method of transporting mails but of transporting passengers and light freight. It will also be a great agent toward the saving of life.

I make this prediction as the result of considerable study and investigation, as I became interested in this subject some months ago through the introduction of a number of bills bearing upon different phases of aviation and its encouragement.

Mr. Chairman, I am deeply in earnest in my desire to see this amendment incorporated in the bill, not alone because of the more practical reasons which I have just stated, and necessarily

from the lack of time in a very brief manner, but also from the feeling that our Nation should not lag behind other powers in the progress of human achievement. Though it may be a sentimental reason, yet I trust that it is nevertheless not without some force, that the Government, which, through its liberal financial encouragement of its pioneer aeronautic investigator, Langley, finally resulting in the actual culmination and realization of the dream of the ages to fly through the air, as accomplished by the Wright brothers, thus first giving to the world this invention, should not now be content to rest in its work of developing a field so fruitful in its possibilities as a national defense, commercial advantages, and scientific research. Coupled with that great invention of wireless telegraphy, it would never permit again the tremendous loss of life and noble sacrifices which occurred on the giant steamship which foundered in the last few days. [Applause.]

Mr. REILLY. Mr. Chairman, I do not wish to be put down as opposed to any progressive measure, but it occurs to me that the postal service and the Post Office Department have been up in the air high enough for a long time and now let us get down to terra firma for once.

Mr. WILLIS. Mr. Chairman, I do not wish to take much time and only desire to say a few words on this amendment which has been offered by my colleague. It seems to me, Mr. Chairman, that this amendment is fair and reasonable and in the line of progress. I can not hope to add very much to what my colleague said because he has given this subject a good deal of study and I have given it only a little, but I do know that this Government is not making provision for the encouragement of aviation that is being made by other great governments of such standing as ours. I happen to know that certain of the great governments are appropriating up into the millions for the purpose of making experimentations along these lines and it seems to me, Mr. Chairman, it is very fitting and proper that this amendment, which proposes to set aside \$50,000 for this purpose, should be adopted. We can not afford to be behind the other nations. The fact is the people of this country are tremendously interested in this subject of aviation. There was a time when to have introduced such an amendment would have been to perpetrate a joke, but this is not a joke, it is not an experiment any longer. As was explained by my colleague, mail has been carried a number of times and there is no reason why it can not be, and I submit that, aside from the economy of it and the accommodation that would arise from the use of aeroplanes in certain places, the encouragement that would be given to a great and widely open field of science would be worth more than the amount of the appropriation. So I sincerely hope, Mr. Chairman, that the committee will agree to this amendment. I believe it is in the interest of progress, in the interest of the betterment of the postal service, and I hope it will be adopted.

Mr. MOON of Tennessee. Mr. Chairman, I hope just the opposite from my friend—that it will not be adopted. This committee considered this question, and there was not a single fact brought before the committee by the department or anybody that would justify the useless expenditure of this money in experimentations of this sort. That character of conveyance is not fixed; it is not settled; it is not stable in any way; and there is nothing before us that would justify us in making an experimentation along these lines. Now, we know what can be done in the water and on the land in the matter of the speedy delivery of mails, and I submit that this is hardly the time for us to begin to carry our mails through the air when we can travel on the ground. If any fact had been presented that justified—

Mr. WILLIS. Will the gentleman yield?

Mr. MOON of Tennessee (continuing). Such an appropriation, the committee would have seriously considered it, but the committee have not thought it was a wise thing to engraft every new fad that comes along in this bill.

Mr. WILLIS. Is it not a fact the Government of the United States made pledges for the installation of the telegraph, and, in fact, as I recall the history of the time, built a telegraph line when it was much more in an experimental stage than this matter now is?

Mr. MOON of Tennessee. The Government did all of that, but that is quite a different proposition. We have made provision for carrying the mails over the land and sea, and I hope gentlemen will vote down the proposition to undertake to carry the mail in the air.

Mr. MANN. Mr. Chairman, I had supposed there would be no objection on the part of the committee to this amendment, from the fact that no point of order was made upon the amendment. I do not desire to delay the committee. I am in favor

of the amendment. I think that the Government ought to keep up or at least be not very far behind in the real progress that is being made in the world. There are undoubtedly places where, if you can get mail delivered by airships at all, it can be delivered much cheaper than it can be by trains and wagons—places in the mountainous country, if that can be done; if it can not be done the money will not be expended. If that can be done the Government ought to follow that line, in my judgment. I have frequently talked aviation on the floor of this House, and helped to secure amendments in bills on the floor to make appropriations and increase appropriations in the Army for that purpose. Here comes a proposition to use it in peaceful methods. I would a great deal rather see it used in peaceful methods than for war purposes if it can be done effectively, but we have reached the point in this world where transportation in the air has come to some extent and where the development of the transportation will be greater than any other line of development in the near future, in my judgment. [Applause.]

Mr. CANNON. Mr. Chairman, I move to strike out the last word.

I can not agree with my colleague from Illinois [Mr. MANN] and the two gentlemen from Ohio [Mr. WILLIS and Mr. SHARP] as to the propriety of this appropriation. I had something to do with the genesis of aviation, as I assisted in making the general appropriation, which included the small appropriation under which the late Prof. Langley demonstrated that a body heavier than air could be maintained in the air, and sail, and make progress. All that has happened since that time very largely has happened by private enterprise. I do not believe that the time will ever come when we will carry corn and wheat to market by airship, or that we will have the certainty, celerity, and dispatch for carrying the mails that is desirable. Yet I would not stop encouragement to aviation if it needed any.

Prof. Henry broke the circuit and found that news could be sent by electricity in 1830, and made his report to the Academy of Sciences, and it rested until 1840, when an annual appropriation was made by the Government of \$30,000 to construct a line from Washington to Baltimore. I have not any fear but that progress will be made along this line; nor do I oppose proper expenditure of public money for this purpose. But let us keep it under one administration. I do not recollect, although some gentlemen do—as I believe I was not in the House—but I am quite sure that the Army bill carried an appropriation for this purpose, and that officers of the Army, some of them losing their lives, but still other volunteers coming, are making that expenditure. If useful at all, I believe it will be useful for scouting service.

Mr. SHARP. In the Army bill, of which the gentleman makes mention, my recollection is the amount asked for was \$125,000, and it was cut down \$50,000, making it \$75,000. Against that the French Government appropriated last year \$1,000,000—just in one year—and, I think, getting about as far ahead of us as any other branch of the service.

Mr. CANNON. I do not know about the French Government. The Army bill has not yet become a law. Even if that is not enough, let us keep these experiments in one department. I do not know what the French Government is doing in the premises, but I do know that if it be a fad it is one which is being wonderfully promoted in the United States. These machines have fallen in price, and I have no doubt have been and are being perfected; and many men annually, having the leisure and the courage and the money, are making these experiments. I do not think it is wise to have two or three or more departments expending the money.

Mr. WILLIS. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. WILLIS. Is the gentleman aware of the fact that the War Department is seeking to develop quite a different kind of type of machine from that which would be useful in the Post Office Department? Because of that fact it is desirable that the appropriations should go to the two departments, and not be confined to one, as the gentleman is now suggesting.

Mr. CANNON. Oh, well, I am not willing to appropriate for anything more than bare experiments. As to whether there are proper stalls and boxes for transmission of mail being perfected by the War Department, I do not know. I hope not. In other words, the progress that could be made, in my judgment, is being made, and tenfold—and, I dare say, a hundredfold—more progress is being made by private enterprise than the Government will ever make.

Mr. MURDOCK and Mr. SHARP rose.

The CHAIRMAN. The gentleman from Kansas [Mr. MURDOCK] is recognized.

Mr. MURDOCK. Mr. Chairman, we do not see very far into the future. There is no imagination here so wild as to believe that the carrying of mail by aeroplane might a little later relieve an appropriation for improvement for roads for mail routes; yet who can tell about the aeroplane and its possible development along the lines of utility. Twenty years ago I had the opportunity once to interview Thomas A. Edison on the subject of the flying machine. No one at that time believed that its realization was in the near future, but Edison told me it was. He said he had repeatedly experimented himself, always without success, but that some day some man—he hoped an American—would steal the secret of flying from the hawk and from the eagle. It has been stolen, and man is flying to-day. Still it seems ridiculous to claim that we could economically carry the mail by aeroplane. Mention has been made here of the telegraph. The day that the first message was sent from Baltimore to Washington, it was looked upon by the great majority of men as an impossibility.

It is a historical fact that that morning the then Secretary of State walked down Pennsylvania Avenue with Prof. Morse, and said to Prof. Morse, with great pomposity, "Professor, how large a bundle will this telegraph of yours carry from Baltimore to Washington?" [Laughter.] Ten years after the first locomotive came into the city of Washington this Government continued to carry mail, between towns connected by railroad, by the star routes.

It is true that this Government had the right in 1840, for a matter of \$25,000, which Congress refused to appropriate, to take over the telegraph companies of this country—a thing which should have been done. We can not afford to hold back because a thing is new. So I am heartily in favor of this appropriation for the development of this new service, and I shall support the amendment. [Applause.]

Mr. COX of Ohio rose.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on this paragraph close in five minutes.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. COX of Ohio. Mr. Chairman, it has only been a few years ago that two humble American boys in my home city of Dayton, Ohio, established a supremacy over the air and started the development of the aeroplane. They were regarded by the community, and by everyone else who knew anything about their experiments and their endeavors, as being possessed of a strange purpose, to say the least. But the world now does them honor, particularly since they have so developed their device that a passenger in a Wright biplane has flown successfully and without accident from the Atlantic to the Pacific Ocean.

The Wright boys have since been decorated by every great Government on the face of the earth. They have up until this time received many encouragements from Governments abroad, but they have uncompromisingly, I might say to their credit, received very little cooperation from their own Government. France last year, as my colleague from Ohio [Mr. SHARP] has just stated, appropriated a million dollars for aeroplane service. The French Government has 400 aeroplanes; the American Government has 10.

If you gentlemen here knew the persistence with which the Wright boys continue in the endeavor to develop this great invention you might then be persuaded to give them the encouragement suggested by the amendment offered by my colleague from Ohio [Mr. SHARP]. Mr. Orville Wright stated to me only a short while ago that they had in their minds become convinced that the time would be very short indeed when they would be able without power to soar in the air as the buzzard does, and the hawk. They have stated this as a positive conviction, and I believe that their claim is entitled to very serious consideration, because in the only country on earth where the issue has been made as to who was the original inventor of the aeroplane the French courts have given this honor to the Wright brothers.

I am in favor of this amendment for two reasons: First, because I believe that by the development of the aeroplane in the postal service its utility will be widened and extended; second, I believe that by this governmental encouragement the biplane will much sooner become the one active, potential force which will ultimately make for international disarmament and bring about everlasting peace throughout the world. [Applause.] It will demonstrate the uselessness of nations continuing to waste countless millions of dollars on war ships that can be blown up with dynamite thrown from an aeroplane. And there is nothing more fitting than the idea that universal peace shall be brought about by the aeroplane, the only mechanical bird that civilization knows anything about.

You will recall from reading the book of Genesis that at the time of the flood, when the water began to recede and when the elements were found to be no longer battling with each other, a little bird brought back a piece of vegetation as the first indication that the waters were falling. This was the dove, and it ever since has been denominated as the bird of peace. And I believe now that the aeroplane, the mechanical bird of the air, will be in fact and in truth the great instrument for bringing about everlasting international peace. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate close in three minutes on this amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] moves that all debate on this amendment close in three minutes. The question is on agreeing to that motion.

The motion was agreed to.

Mr. EVANS. Mr. Chairman, I want to call the attention of the gentlemen of the committee to the fact that in the Army appropriation bill, which you have already passed, you have voted for \$75,000 to be given for experimentation, for exactly the same thing as this, except that the experimentation may be in other hands. The Senate has already, in its consideration of that bill, raised that amount to \$100,000. Why should we have experiments in aviation for the Post Office and for the Army? If they once learn to carry any considerable weight in the air, the aeroplane can be used by the Post Office just as well as by the Army. The experiments made by the Army will probably be the best experiments that can be made. I wish to call attention to the fact, because it has not been mentioned before in this debate, that we have already committed ourselves to \$75,000, and that ought to be enough.

Mr. MANN. The gentleman knows that the appropriation for the current year is \$125,000.

Mr. EVANS. I know that, too; and that only makes my point stronger.

Mr. MANN. So we have not committed ourselves on the subject yet.

Mr. EVANS. Yes, we have.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Ohio [Mr. SHARP].

The question being taken; on a division (demanded by Mr. SHARP) there were—ayes 25, noes 43.

Accordingly the amendment was rejected.

Mr. MOON of Tennessee. Mr. Chairman, I ask unanimous consent to return to line 25, on page 16, for the purpose of offering an amendment.

The CHAIRMAN. It is not necessary to ask unanimous consent. Consent was given to pass that item. The Clerk will read the paragraph, as it was not read before.

The Clerk read as follows:

For inland transportation by steamboat or other power-boat routes, \$850,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Provided further, That in the discretion of the Postmaster General the pay of the carrier on the water route on Lake Winnepesaukee, who furnishes his own power boat for mail service during the summer months, may be fixed at an amount not exceeding the maximum salary allowed rural carriers by law for any one calendar year.

Mr. MOON of Tennessee. Mr. Chairman, that is the section that has been carried heretofore in the bill, which was inadvertently omitted. I may say to the committee that this is the best rural mail route in the United States, as I am advised by the department, and it is desired, of course, that the man who carries that mail shall have the compensation provided by law.

Mr. MANN. I suggest to the gentleman that that language ought not to read "provided further."

Mr. MOON of Tennessee. There is another proviso above.

Mr. MANN. That does not relate to this paragraph at all.

The CHAIRMAN. The amendment is offered to the paragraph beginning on line 24.

Mr. MOON of Tennessee. I believe the gentleman is right about that.

The CHAIRMAN. If there be no objection the Clerk will strike out the word "further," so that it will simply read "provided."

There was no objection.

The amendment, as modified, was agreed to.

Mr. MOON of Tennessee. Mr. Chairman, I ask unanimous consent to go back—

The CHAIRMAN. It is not necessary. The committee has already given the gentleman consent to return.

Mr. MOON of Tennessee. It did for the proposition we have just agreed to, but I think not for the one I am about to make.

The CHAIRMAN. Yes; for that also.

Mr. MOON of Tennessee. Very well. I am glad to know we have consent to return to line 15, on page 16, in order that the gentleman from Missouri [Mr. BARTHOLDT] may offer an amendment.

Mr. MANN. Mr. Chairman, let me ask the gentleman. I think possibly there was a misunderstanding about the paragraph, lines 17 to 23. I think the gentleman did not desire to have that passed over, although it was passed over.

The CHAIRMAN. It was passed over.

Mr. MOON of Tennessee. If it was passed over, I will ask the Clerk to read.

Mr. BARTHOLDT. I offer an amendment, Mr. Chairman.

The CHAIRMAN. As soon as the gentleman from Missouri [Mr. BARTHOLDT] offers his amendment the paragraph will be read. The gentleman from Missouri [Mr. BARTHOLDT] offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 15, on page 16, insert the following:

"That section 233 of the postal laws and regulations be, and the same is hereby, amended so as to read as follows: "Provided, however, That this provision shall not apply to the city of Cambridge, Mass., or to Towson, Md., or to Clayton, St. Louis County, Mo."

Mr. BARTHOLDT. Mr. Chairman, the purpose of this amendment—

Mr. MANN. Mr. Chairman, I think the gentleman has not got the amendment in the form that he wants it. The amendment, as I understand, only covers the proviso or paragraph 2 of section 233. Does not the amendment provide that section 233 shall be "amended to read as follows"?

The CHAIRMAN. The Clerk will again report the amendment if there be no objection.

The amendment was again read.

Mr. MANN. Ought not the amendment to read that the proviso shall not apply?

Mr. BARTHOLDT. Mr. Chairman, the purpose of this is to convert the independent post office at Clayton, Mo., into a station of the St. Louis post office. Clayton is within 2½ miles of St. Louis. All other suburban towns have been converted into stations, but this can not be made a station because of the postal regulations which require that all county seats shall have an independent post office. It might be argued that a station is a post office, but the department has not yet taken that view of the matter, and consequently it is necessary to add to the two exemptions already existing this one more of Clayton, Mo. That is all there is in this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was considered and agreed to.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested.

S. 3175. An act to regulate the immigration of aliens to and the residence of aliens in the United States.

#### POST OFFICE APPROPRIATION BILL.

The Clerk read as follows:

For rent, light, fuel, electric power, and incidental expenses pertaining to the maintenance of a subworkshop for the repair of mail equipment at Chicago, Ill., \$2,400.

Mr. MANN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. Is the gentleman satisfied that the reduction from \$3,000 to \$2,400 will leave this subworkshop in Chicago properly equipped?

Mr. MOON of Tennessee. I think so, because there was an unexpended balance last year.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

For inland transportation by railroad routes, \$47,646,000.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment as a separate paragraph.

The Clerk read as follows:

Insert as a separate paragraph, after line 15, page 18, the following: "That section 3 of the act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1900, approved March 1, 1899, is hereby repealed."

Mr. MANN and Mr. MOON of Tennessee reserved points of order.

Mr. MURDOCK. Mr. Chairman, I hope the gentleman will not make the point of order on this amendment. It is subject

to a point of order. The proposition involved relates to the payment which the Government makes to the St. Louis Terminal Association for the carriage of the mail across the Eads Bridge at St. Louis. If there ever appeared for consideration in this or any other legislative body a piece of legalized graft, this item of expenditure is it.

In 1899 this Government gave to the St. Louis Terminal Association by law an annual grant of \$50,000 to transport the mail across the Eads Bridge at St. Louis. The reason assigned for giving so large a sum was that the Eads Bridge was a distinctive bridge, the last word in bridge construction; that it was the only bridge across the Mississippi River at that point.

In no other part of the country, in the case of no other bridge, is any extra compensation given for the carriage of the mails. This has persisted in the law. For the last six or seven years I have made attempts to get it out of the law. Once we got it into the appropriation bill, but it went out on a point of order made by Mr. Coudrey, then a Member of Congress from St. Louis.

Here is the graft in the proposition: In the old days when the Eads Bridge was the only bridge across the Mississippi River the sum might have been defensible, but since the completion of the Eads Bridge and the passage of this law by Congress other bridges have been constructed across the Mississippi River, the Merchants Bridge among them. To-day more mail, twice over, goes across the Merchants Bridge into St. Louis than across the Eads Bridge. We pay for the carriage of the mail across the Merchants Bridge by the regular system of payment for mail carriage; that is, by multiplying weight by distance. That is, we pay \$16,000 to \$20,000 a year for the carriage of mail across the Merchants Bridge, twice the amount of mail which goes across the Eads Bridge, and yet we pay for the carriage of mail across the Eads Bridge \$50,000.

If you will permit this law to be repealed, then we will pay for the carriage of the mail across the Eads Bridge at St. Louis on the ordinary system of multiplying weight by distance, to the railroad crossing the bridge, \$7,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURDOCK. I ask for five minutes more.

The CHAIRMAN. The gentleman from Kansas asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MURDOCK. In other words, in these latter years and since the construction of the Merchants Bridge we are overpaying for the carriage of the mails across this one bridge—and it is the only instance in the United States—something like \$43,000 a year. If we can now repeal this law we will save that sum of money.

Mr. DYER. Will the gentleman yield?

Mr. MURDOCK. Yes.

Mr. DYER. Does not the gentleman think it would be better to introduce a separate bill to repeal this law instead of putting it on an appropriation bill?

Mr. MURDOCK. That is not at all necessary; this committee has jurisdiction of the subject and this committee can go on and act. I want to say to the gentleman from Missouri that it may have been possible in bygone days to defend this item, but now it is indefensible.

Mr. DYER. I want the gentleman from Kansas to understand that I am not opposing his amendment and I am not defending it, but I would like some information which is not obtainable just now when he is attempting to put it in an appropriation bill.

Mr. MURDOCK. Mr. Chairman, if the gentleman will permit me, within the last two years, in my recollection, the Second Assistant Postmaster General appeared before our committee and himself said that he could see no reason why this law should not be repealed, and I appeal to the House and all the Members thereof not to make this point of order.

Mr. MANN. Has the gentleman got the wording of the section there which it is proposed to repeal?

Mr. MURDOCK. Yes. Shall I read it?

Mr. MANN. Yes.

Mr. MURDOCK. It is as follows:

Sec. 3. That the Postmaster General is hereby authorized, in his discretion, to pay from the appropriations for transportation by railroad routes for the special transfer and terminal service between the Union Station at East St. Louis, Ill., and the Union Station at St. Louis, Mo., including the use, lighting, and heating of mail building and transfer service at St. Louis, at the rate of not exceeding \$50,000 per annum, beginning the 1st day of July, 1899.

Mr. MANN. That does not specify Eads Bridge.

Mr. MURDOCK. The money goes for the carriage of the mail across the Eads Bridge under this proposition.

Mr. MANN. It is left within the discretion of the Post Office Department.

Mr. MURDOCK. I have always so contended; but the department has said in the hearings that the law would have to be repealed to stop the expenditure.

Mr. MANN. Mr. Chairman, I have no objection to repealing the law.

Mr. NYE. It is discretionary with the Postmaster General. I do not see why he has not done it.

Mr. DYER. Has not the department power to do what the gentleman wants us to do?

Mr. MURDOCK. Apparently not, because I believe if the department had it would do it.

Mr. MOON of Tennessee. What is the difference to the Government, so far as cost is concerned, in the repeal of this law?

Mr. MADDEN. Forty-three thousand dollars.

Mr. MURDOCK. Mr. Chairman, I will tell the gentleman how I arrive at that sum. The mail is now carried into St. Louis from the East, so far as the regular railroad bridges are concerned, over the Merchants Bridge and the Eads Bridge. The pay for the carriage of the mails over the Merchants Bridge is under the regular system of multiplying distance into weight, and amounts to something like \$16,000 a year. If the mail carried over the Eads Bridge now should be paid for on the same computation, multiplying distance into weight, we would pay for the transportation over the Eads Bridge about \$7,000 a year as against \$50,000 that we are in fact paying, and the difference between \$7,000 and \$50,000 is \$43,000.

Mr. MOON of Tennessee. Mr. Chairman, I shall not insist upon the point of order.

The CHAIRMAN. The point of order is withdrawn, and the question is on the amendment.

Mr. DYER. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Missouri makes the point of order. The Chair sustains the point of order.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Insert, after the word "dollars," line 15, page 18:

"Provided, That no portion thereof shall be paid for carrying mail over the bridge across the Mississippi River at St. Louis, Mo., over and above the regular rates for the transportation of the mail."

Mr. MURDOCK. Mr. Chairman, on that I ask for a vote.

Mr. MANN. I suggest to the gentleman that he make that read "provided no part of this appropriation," and so forth.

It is six of one and half a dozen of the other.

Mr. MURDOCK. Mr. Chairman, I will accept the change, in order to make my amendment formal.

The CHAIRMAN. Without objection, the Clerk will again report the amendment as modified.

The Clerk read as follows:

After line 15, page 18, insert:

"Provided, That no part of this appropriation shall be paid for carrying mail over the bridge across the Mississippi River at St. Louis, Mo., over and above the regular rates for the transportation of the mail."

Mr. MANN. Mr. Chairman, ought not the amendment to be more specific than that?

Mr. MURDOCK. I think that would cover every bridge.

Mr. MANN. It says "over and above the regular rates for the transportation of the mail." I suppose the gentleman means the rates paid to railroads.

Mr. MURDOCK. The railroad routes.

Mr. MANN. It may be sufficient. Of course there are various rates for transporting the mail.

Mr. MURDOCK. Mr. Chairman, the amendment can be made more specific, I will say, by simply adding the words "by railroad routes" to what I have offered, and I ask unanimous consent to so perfect the amendment in that respect.

The CHAIRMAN. Does the gentleman from Kansas desire to withdraw his amendment?

Mr. MURDOCK. Mr. Chairman, I ask leave to add the words "by railroad routes" to my amendment.

The CHAIRMAN. At what point in the amendment?

Mr. MURDOCK. At the end of the amendment.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

After line 15, page 18, insert the following: "Provided, That no part of this appropriation shall be paid for carrying mail over the bridge across the Mississippi River at St. Louis, Mo., over and above the regular rate for the transportation of the mail by railroad routes."

Mr. MANN. Mr. Chairman, I understand the gentleman wants to pay to this bridge company a proportionate amount for carrying mail over the bridge?

Mr. MURDOCK. As a matter of fact, I desire to say to the gentleman from Illinois I want the carriage of the mail on the Eads Bridge paid for as it is paid for by the Government in the case of mail carried across the Merchants Bridge; that is, paid to the railroads which carry it.

Mr. MANN. I think that covers the purpose that the gentleman desires.

Mr. MURDOCK. And not to pay it to the bridge company.

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Chairman, I move to strike out the period after the word "dollars," in line 15, page 18, and insert a colon in lieu thereof.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 15, strike out the period after the word "dollars" and insert a colon in lieu thereof.

Mr. MANN. Mr. Chairman, I do not oppose the amendment, but I may say it never has been considered necessary to make an amendment of that kind. It is the duty of the engrossing clerk to properly punctuate the bill when amendments are offered.

Mr. FOWLER. Mr. Chairman, that may have been the custom in this House, but the gentleman from Illinois [Mr. MANN] has repeatedly offered such amendments on the floor of this House when amendments have been made to a bill.

Mr. MANN. Well, I beg my colleague's pardon.

Mr. FOWLER. Whether the gentleman desires to be technical on my amendment I do not know, but I want to say to him and to this committee it has been the custom in my short stay here that wherever there is an amendment destroying the punctuation it is in order to offer an amendment correcting the punctuation to give it the right intelligence. [Applause.]

Mr. MANN. Mr. Chairman, the amendment is undoubtedly in order. I have never offered such an amendment during my service in the House, and never expect to do it, because an engrossing clerk who knows enough to write would know enough to make the correction, and that is his duty, that is part of the engrossment of the bill.

The question was taken, and the amendment was agreed to.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Add, after the word "dollars," in line 15, page 18:

"Provided, That the Postmaster General be, and he is hereby, authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1912, for transportation of mails on railroad routes by reducing the compensation to all railroad companies for the transportation of mails 10 per cent per annum from the rates fixed and allowed by the first section of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1874, and for other purposes," approved March 3, 1873, for the transportation of mails on the basis of the average weight, and amended by an act of July 12, 1876, and by an act of June 17, 1878, and an act of March 2, 1907."

Mr. MOON of Tennessee. Mr. Chairman, I make the point of order that this is new law.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. MOON of Tennessee. Mr. Chairman, I understood from the reading of the section it is not a limitation on an appropriation.

The CHAIRMAN. The Chair will call the attention of the gentleman from Tennessee that the amendment reduces the expenses of carrying the mails.

Mr. MOON of Tennessee. Under the Holman rule?

The CHAIRMAN. And under the Holman rule the Chair thinks the amendment is in order.

Mr. MANN. Mr. Chairman, the Holman rule does not provide that an amendment shall be in order because it reduces expenditures unless it is reported from the committee. The Holman rule provides that an amendment may be offered on the floor by a member of the committee retrenching expenditures. How?

By the reduction of the number and salary of the officers of the United States.

Or—

By the reduction of the compensation of any persons paid out of the Treasury of the United States.

Or—

By the reduction of amounts of money covered by the bill.

Now, this would not come within any of those three cases. There is a further provision that upon a report of the committee having jurisdiction of the subject matter of an amendment, the amendment being germane to the subject matter retrenching expenditures, it shall be in order.

But this amendment is neither one. Under the Holman rule, whatever the merits of the amendment may be, it is desirable in construing the Holman rule to have uniformity of construction, and up to this time every Chairman, I think, has ruled the same way in reference to the matter. I do not understand that this amendment is offered in behalf of any committee.

The CHAIRMAN. The Chair will ask the gentleman from Illinois as to this section of the rule which provides for the reduction of compensation of any person paid out of the Treasury of the United States, whether the railroads are not contemplated by law as persons?

Mr. MANN. I do not think so. That relates to salaries of any individuals and not to any money paid under contract to any person. If the Chair is to hold that you are going to make a thing in order because it reduces the amount which may be paid under contract in the future, that is one thing, but this is a direction to the Postmaster General to readjust the compensation, with no claim whatever that this would affect any existing compensation of any existing contract, the law providing that this compensation is fixed by contract. Now, if the ruling should be that you effect the payment of money by contract, under this, of course, there is no limitation whatever under the rule. I take it that the rule provided a reduction of the number of salaries of officers or the reduction of compensation paid to persons who draw compensation from the Government. This is done by contract under the law. This amendment does not propose to change that.

Mr. HAUGEN. Mr. Chairman, the amendment which I offer, if enacted into law, will reduce the pay to the railroad companies for carrying mail matter 10 per cent.

Mr. MADDEN. Will the gentleman from Iowa [Mr. HAUGEN] yield for a question?

Mr. HAUGEN. Certainly.

Mr. MADDEN. Has the gentleman any information upon which he bases his conclusions with respect to the justice of the proposed reduction of 10 per cent?

Mr. HAUGEN. I will say to the gentleman I do not believe there could be any doubt in the mind of anybody but that there is justice and merit in this proposition. As the gentleman knows, the Government is now paying on an average of 4 cents per pound on mail matter carried by the railroads for the Government, and the express companies pay less than 1 cent a pound, and there could be no justice in this Government paying more than four or five times the amount paid by the express companies.

Mr. MURDOCK. Will the gentleman from Iowa yield to me for a minute.

Mr. HAUGEN. I will.

Mr. MURDOCK. He was asked by the gentleman from Illinois [Mr. MADDEN] what basis he had for a cut of this kind. The gentleman's cut will be 10 per cent.

Mr. HAUGEN. On \$47,000,000.

Mr. MURDOCK. That would be \$4,700,000.

Mr. HAUGEN. Certainly.

Mr. MURDOCK. I will say this to the gentleman from Iowa on this amendment: That the Postmaster General has communicated to Congress within the last four months a proposition to pay the railroads on the car-foot mile, to pay them first for the absolute cost of the carriage of the mail, with a compensation of 6 per cent thereafter; and the Postmaster General in his report says that this would make a saving of between three and four million dollars, virtually the same sum that the gentleman from Iowa expects to save in the other way.

Mr. HAUGEN. Yes; practically the same amount.

Mr. LLOYD. The gentleman is certainly mistaken in his statement as to paying 4 cents per pound; it is less than 2½ cents per pound.

Mr. HAUGEN. I beg the gentleman's pardon; that is the rate per pound, including equipment. If he will take the report of the Postmaster General, and the statement of the former chairman of the Committee on the Post Office and Post Roads, the gentleman from Massachusetts [Mr. WEEKS], he will find the net weight of mail matter to be 1,300,000,000 pounds, and that 200,000,000 pounds of that is not carried by the railroads, leaving 1,100,000,000 pounds carried by the railroad companies. He will also find that the railroads are paid about \$50,000,000 for carrying the 1,100,000,000 pounds, which equals more than 4 cents a pound. The present rate per pound weight was first fixed by the act of March 3, 1873. This was reduced 10 per cent by the act of July 12, 1876, and 5 per cent more by the act of June 17, 1878, and 5 per cent more by the act of March 2, 1907. First, the pay is based solely on the average weight of the mail carried daily the whole length of the route, but when a full railway post-office car is added to the train the Post

Office Department pays to the railroad a rental for the entire car based upon its length, or an average of \$5,427.62 a car. The cars cost about \$5,500 or \$6,000 each, and are maintained and repaired at an annual cost of about \$1,200. They are built and owned by the railroad companies and rented to the Post Office Department. The pay for a line of these cars is \$25 a mile for 40-foot cars, \$27.50 for 45-foot cars, \$32.50 for 50-foot cars, and \$40 for 55 or 60 foot cars.

I will include in my remarks a schedule of rates of railway-mail transportation, which covers the present and recent laws on that subject.

Schedule of rates for railway-mail pay.

Average weight of mails per day carried over whole length of route.	Pay per mile per annum.					Intermediate weight warranting allowance of \$1 per mile under the law.
	Act of March 3, 1873.	Act of July 12, 1876.	Act of June 17, 1878.	Act of March 2, 1907.	Land-grant railroads.	
200 pounds.....	\$50.00	\$45.00	\$42.75	\$42.75	\$34.20	Pounds.
200 pounds to 500 pounds.....						12
500 pounds.....	75.00	67.50	64.12	64.12	51.30	
500 pounds to 1,000 pounds.....						20
1,000 pounds.....	100.00	90.00	85.50	85.50	68.40	
1,000 pounds to 1,500 pounds.....						20
1,500 pounds.....	125.00	112.50	106.87	106.87	85.50	
1,500 pounds to 2,000 pounds.....						20
2,000 pounds.....	150.00	135.00	118.25	118.25	102.00	
2,000 pounds to 3,500 pounds.....						60
3,500 pounds.....	175.00	157.50	149.62	149.62	119.70	
3,500 pounds to 5,000 pounds.....						60
5,000 pounds.....	200.00	180.00	171.00	171.00	136.80	
5,000 pounds to 48,000 pounds.....						80
For every additional 2,000 pounds over 5,000 pounds and under 4,800 pounds.....	25.00	22.50	21.38	20.30	16.24	
For every 2,000 pounds over 48,000 pounds.....	25.00	22.50	21.38	19.24	17.10	
<b>RAILWAY POST-OFFICE CARS.</b>						
Railway post-office cars 40 feet in length.....	25.00			25.00		
Railway post-office cars 45 feet in length.....	30.00			27.50		
Railway post-office cars 50 feet in length.....	40.00			32.50		
Railway post-office cars 55 feet in length.....	50.00			40.00		

Act of July 12, 1876, decrease of 10 per cent.  
 Act of June 17, 1878, decrease of 5 per cent.  
 Act of March 2, 1907, decrease of 5 per cent on each 2,000 pounds in excess of 5,000 pounds.  
 Land-grant roads receive 80 per cent of rate.

This bill carries an appropriation of \$47,646,000 for transportation of mails on railroads, and \$4,707,000 for railway post-office car service, or a total of \$52,353,000. The Postmaster General states, in his report for the fiscal year ending June 30, 1910, that the expenditures for that year for transportation of mails on railroads was \$44,654,515.97, and \$4,686,122.27 for railway post-office car service, or a total of \$49,340,638.24. This Government pays the railroads practically \$50,000,000 a year for carrying the mail. If we have the amount paid and the number of pounds carried it is an easy matter to determine the average rate per pound. Up to recently Congress had no data on which to definitely fix the rate. Up to a few years ago there was no way to ascertain the number of pounds of mail matter carried, and only estimates could be made, and not knowing the number of pounds carried there was no way of determining the amount paid per pound for carrying the mails or average cost of handling mail matter; but, fortunately, now we have reliable information and can ascertain with some degree of accuracy the average cost for not only carrying but the average cost for handling all mail matter. In compliance with the direction of the provisions of the act of March 2, 1907, in the Post Office appropriation bill, all mail matter and equipments used in connection therewith and empty equipments dispatched were weighed for the period from July 1 to December 31, 1907, and which is reported in Table B to be: Total weight of mail matter, 618,130,722.15 pounds; equipment carried in connection therewith, 414,073,490.9 pounds; empty equipment dispatched, 53,848,134.1 pounds; total weight of domestic mail and equipments, 1,086,052,348.2 pounds for six months. If you multiply it by two you have—total mail matter, 1,236,261,444.3 pounds; total equipments, 935,843,250.6 pounds; or a total of 2,172,104,694.4 pounds. These figures, of course, are necessarily estimates, be-

cause the mail carried in the first six months of the year varies from the amount carried in the last six months. When the Post Office appropriation bill was under consideration in 1910 the distinguished chairman of that committee [Mr. WEEKS] furnished the House with this information—see CONGRESSIONAL RECORD, February 24, page 2348. The department estimates the net weight of the mails for 1908 as follows:

	Pounds.
First class.....	167,502,610
Second class.....	785,833,110
Third class.....	179,694,654
Fourth class.....	58,889,400
Franked.....	4,531,080
Departmental.....	43,002,474
Foreign.....	60,814,956
<b>Total.....</b>	<b>1,300,358,284</b>

It is estimated that 200,000,000 pounds of mail matter is not carried by railroads, as, for instance, such as sent out on rural free delivery, star routes, and local delivery, direct from the post office where received. Much of the city mail is local and much of the foreign mail matter is sent direct from post offices with ports receiving the mail, as, for instance, New York, Philadelphia, Boston, and a number of other ports; and it is generally agreed that 200,000,000 pounds of mail matter is not carried by the railroads. If you deduct the 200,000,000 from 1,300,000,000, it leaves about 1,100,000,000 pounds which is carried by the railroads. If so, and if they are paid \$50,000,000, the rate paid is more than 4½ cents per pound, but we will be liberal and grant that railroads carry one and one-fourth billion pounds. The appropriation for 1911 for transportation by railroads and railway post-office cars was \$50,574,000; that amount equals more than 4 cents a pound, but it is claimed that in determining the average rate paid railway companies the weight of equipments should be included. By doing so, the rate paid railway companies would be less and about the amount stated by the gentleman from Missouri [Mr. LLOYD]; but that can not be done, as the Government gets paid for mail matter only, and in dealing with the actual or average cost of carrying mail matter the deduction in weight can not be made. With the information furnished by the department, the chairman of the committee, and other information at hand, I take it that all will agree that the Government pays on an average at least 4 cents a pound. Having ascertained the amount paid for carrying mail, the next question to determine is whether the rate paid is reasonable or not. That can not be ascertained by comparing our rate with that paid in other countries because conditions are different. Our country is sparsely settled; we have a vast area, and a long haul as compared with foreign countries with small area densely populated, which, of course, makes the haul much shorter. Besides, here labor is paid more than in many of the foreign countries and the service differs in many respects. These and a number of other things would have to be taken into consideration in making comparisons with the rates paid in other countries.

I will insert in my remarks a communication from the Department of Commerce and Labor, which gives the countries owning and operating railroads:

DEPARTMENT OF COMMERCE AND LABOR,  
 OFFICE OF THE SECRETARY,  
 Washington, February 4, 1911.

Sir: In compliance with your recent request for information showing the mileage of railroads in leading countries owned and operated by private companies and by the Governments, respectively, I have the honor to inclose herewith a table, copied in the Bureau of Statistics from the thirty-fifth number of the British Statistical Abstract for Foreign Countries, giving these data for the end of the calendar year 1907.

The more important changes in the respective mileage figures since 1907 are due to recent action of several European Governments in extending the mileage of the State owned and operated lines. Thus the Italian Government a few years ago took over the operation of all important national lines, which until then had been leased to three large companies. The extent of the lines operated by the Italian Government on June 30, 1909, was 8,789 miles. On January 1, 1908, the Austrian Government took over some lines owned and operated by private companies. As a result, at the end of the year the mileage of lines operated by the Government, including lines owned and operated as well as lines merely operated by the Government, was 11,105 miles out of a total railroad mileage in Austria on that date of 13,613 miles. Finally, the French Government owns and operates at present, in addition to the 1,758 miles of the so-called "old system" given in the inclosed statement, 3,700 miles, represented by the former French Western Railroad.

On the American Continent the most important change is due to the action of the Mexican Government, taken in the beginning of 1909, in amalgamating the two principal railway systems of the country, the Central and National Railways, into the Ferrocarriles Nacionales de Mexico, and in taking over one-half of the \$230,000,000 worth of shares issued after the amalgamation. The operation of the railroads affected remains, however, in the hands of the companies.

Hoping that the inclosed information may prove of service to you, I am,

Respectfully,  
 BENJ. S. CABLE,  
 Acting Secretary.

Hon. GILBERT N. HAUGEN, M. C.,  
 House of Representatives, Washington, D. C.

Length of railways in various countries, distinguishing as far as practicable the lines which belonged to private companies and to the State, respectively, for the year 1907.

	Company roads.	State roads.
	Miles.	Miles.
Russia in Europe (exclusive of Finland).....	13,271	21,133
Russia in Asia.....	559	6,173
Norway.....	238	1,353
Sweden.....	5,542	2,696
Denmark.....	908	1,189
German Empire:		
Prussia, Mar. 31 <sup>1</sup> .....	1,210	21,846
Alsace-Lorraine, Mar. 31 <sup>1</sup> .....	17	1,067
Bavaria, Dec. 31.....	714	4,054
Saxony, Dec. 31.....	3	2,095
Württemberg, Mar. 31 <sup>1</sup> .....	166	1,219
Baden, Jan. 1 <sup>1</sup> .....	11	1,072
Total length of line, German Empire.....	2,715	32,180
Holland.....	1,017	1,161
Belgium.....	330	2,547
France.....	27,940	1,758
Switzerland.....	1,216	1,525
Portugal.....	866	558
Spain.....	8,961	.....
Italy.....	10,378	.....
Austria.....	6,113	7,315
Hungary.....	6,896	4,873
Bulgaria.....	236	751
Servia.....	5	427
Roumania.....	.....	1,979
Turkey in Europe.....	1,230	.....
Egypt.....	.....	1,441
Greece.....	845	.....
United States.....	227,455	.....
Mexico.....	13,995	.....
Costa Rica.....	.....	394
Peru.....	1,498	.....
Chile.....	1,682	1,536
Brazil.....	10,943	.....
Uruguay.....	1,217	.....
Argentine Republic.....	11,852	1,838
China.....	.....	2,394
Japan, Mar. 31.....	1,692	3,377
United Kingdom.....	23,108	.....

<sup>1</sup> Of the year following.

Data taken from the Statistical Abstract for the Principal and Other Foreign Countries, No. 35, issued by the British Board of Trade, 1910.

Also a table giving the area and population of the principal countries of the world:

Area and population of the principal countries of the world.

Countries.	Year.	Area in square miles.	Population.	Population per square mile.
Argentina.....	1902	1,135,840	4,794,000	4.22
Australasia:				
Commonwealth.....	1901	2,972,573	3,772,000	1.27
New Zealand.....	1901	104,751	788,000	7.52
Austria-Hungary.....	1902	241,333	45,405,000	188.14
Austria.....	.....	115,903	26,151,000	225.03
Hungary.....	.....	125,430	19,255,000	153.51
Belgium.....	1902	11,373	6,694,000	588.59
Bolivia.....	1902	703,604	1,816,000	2.58
Brazil.....	1902	3,219,000	14,334,000	4.45
British colonies, n. e. s.....	1901-2	951,333	14,434,000	15.17
Bulgaria.....	1902	38,080	3,744,000	98.33
Canada.....	1903	3,048,710	5,457,000	1.79
Central America:				
Costa Rica.....	1902	23,000	313,000	13.61
Guatemala.....	1900	46,774	1,647,000	35.21
Honduras.....	1902	46,250	775,000	16.76
Nicaragua.....	1902	49,200	500,000	10.16
San Salvador.....	1902	7,225	1,007,000	139.38
Chile.....	1902	279,901	3,051,000	10.90
China.....	1902	1,532,420	407,253,000	265.76
Colombia.....	1898	504,773	4,600,000	7.92
Cuba.....	1903	43,000	1,573,000	36.58
Denmark.....	1902	15,360	2,465,000	160.48
Ecuador.....	1901	116,000	1,204,000	10.38
Egypt.....	1902	383,900	9,734,000	25.36
Finland.....	1902	144,255	2,744,000	19.02
France.....	1902	207,054	38,962,000	188.17
Algeria.....	1902	184,474	4,739,000	25.69
Tunis.....	1901	51,000	1,900,000	37.25
French colonies, n. e. s.....	1901	3,375,602	26,427,000	7.83
French East Indies.....	1901	461,196	18,346,000	39.78
German Empire.....	1902	208,830	58,549,000	280.36
German colonies.....	1901	1,025,829	13,543,000	13.20
Greece.....	1902	25,014	2,434,000	97.31
Haiti.....	1901	10,204	1,294,000	126.81
India, British.....	1902-3	1,766,642	294,361,000	166.62
Italy.....	1902	110,646	32,475,000	293.50
Japan.....	1902	147,655	45,862,000	310.60
Formosa.....	1902	13,458	2,706,000	201.07
Mexico.....	1903	767,060	13,545,000	17.65
Netherlands.....	1902	12,563	5,347,000	425.61
Dutch East Indies.....	1901	736,400	35,736,000	48.53
Norway.....	1902	124,130	2,263,000	18.23

Area and population of the principal countries of the world—Continued.

Countries.	Year.	Area in square miles.	Population.	Population per square mile.
Paraguay.....	1902	97,722	636,000	6.51
Peru.....	1901	713,859	4,610,000	6.45
Portugal.....	1902	36,038	5,429,000	150.65
Roumania.....	1902	50,700	5,913,000	116.63
Russia.....	1901	8,660,395	141,000,000	16.28
Santo Domingo.....	1901	18,045	610,000	33.80
Servia.....	1902	18,630	2,536,000	136.12
Siam.....	1902	236,000	5,000,000	21.19
Spain.....	1902	194,781	18,618,000	95.58
Sweden.....	1902	172,876	5,199,000	30.07
Switzerland.....	1902	15,976	3,356,000	210.07
Turkey.....	1898-99	1,115,045	24,932,000	22.35
United Kingdom.....	1902	121,371	41,961,000	345.73
United States.....	1903	3,025,600	80,372,000	26.56
Philippine Islands.....	1901	115,000	7,590,000	66.00
Uruguay.....	1902	72,210	659,000	13.28
Venezuela.....	1898	593,940	2,445,000	4.12
Total.....		40,701,936	1,487,159,000	.....

But we have the express companies, and I believe it fair to compare the rate paid by the Government with that which the express companies pay the railroads for similar service, and if you will look over the Interstate Commerce Commission's first annual report of the statistics of express companies in the United States for the year ending June 30, 1909, you will find that the average revenue received per piece was \$0.5049, the average revenue paid per pound was \$0.0154, the total revenue was \$35,856,551.56 for handling in the aggregate 2,329,342,192 pounds of express in three months, as for April, August, and December, 1909, the months selected by the commission as being representations of the traffic movement throughout the year. The number of pounds transported in three months by express companies is about twice the amount of mail matter carried in a year by the railroads. The revenue of express companies is a little more than 1½ cents per pound, as compared with 4 cents paid per pound by the Government for carrying mail matter. The Government then pays the railroads for carrying mail matter, per pound, nearly three times the amount charged the public by express companies, and about six times the amount the express companies pay railroads for carrying express. To corroborate this statement, I quote from the reports of the Interstate Commerce Commission of December 21, 1910 (p. 27):

The statistical information contained in this report covers the operations of 13 companies. The names of these companies, as also the mileage over which each operates, are as follows:

Classification of mileage covered by operations on June 30, 1909.

Name of carrier.	Total mileage.	Steam road mileage.	Electric line mileage.	Steamboat line mileage.	Stageline mileage.
Adams Express Co.....	34,360.00	30,676.00	196.00	3,405.00	83.00
American Express Co.....	48,224.78	45,668.08	475.70	2,088.50	22.50
Canadian Express Co.....	7,794.27	6,964.27	60.00	737.00	27.00
Canadian Northern Express Co.....	3,129.62	3,107.62	22.00	.....	.....
Globe Express Co.....	1,889.85	1,890.85	.....	.....	.....
Great Northern Express Co.....	7,412.16	7,061.57	169.59	211.00	.....
National Express Co.....	1,714.25	1,416.25	6.00	292.00	.....
Northern Express Co.....	6,757.75	6,488.75	8.00	261.00	.....
Pacific Express Co.....	22,672.54	21,721.20	343.00	608.34	.....
Southern Express Co.....	33,181.00	30,936.00	80.00	2,165.00	.....
United States Express Co.....	24,206.00	20,286.34	3,604.96	314.70	.....
Wells, Fargo & Co.....	65,698.43	59,316.90	1,438.76	4,081.65	861.12
Western Express Co.....	3,456.39	3,448.39	4.00	4.00	.....
Total.....	260,507.04	238,961.22	6,414.01	14,138.19	993.62

The character of the business transacted by the express companies is indicated by the following statement, which shows for the months of April, August, and December, 1909, the number of pieces carried, their aggregate weight, the average weight per piece, the total revenue, the average revenue per piece, and the average revenue per pound. The expense incident to the compilation of the information by the express companies deterred the commission from requiring such a compilation for all the months of the year, but the combined results for the months selected may be accepted as typical of the business for the year.

Summary of traffic for April, August, and December, 1909.

Number of pieces.....	71,013,295
Aggregate weight.....	pounds—2,329,342,192
Average weight per piece.....	do—32.80
Revenue.....	\$35,856,551.56
Average revenue per piece.....	cents—50.49
Average revenue per pound.....	do—1.54

Also the following from commissioner's report of July 1, 1910, page 19.

Statement showing results of operation combined for the months of April, August, and December, 1909, and an apportionment of operating costs between tonnage revenue and other revenue.

[Represents combined returns for the following express companies: Adams, American, Globe, Great Northern, National, Northern, Pacific, Southern, United States, Wells, Fargo & Co., and Western.]

Account.	Amount.	Apportionment between—			Other revenue.
		Tonnage revenues.			
		Amount.	Average per piece (cents). <sup>1</sup>		
Total receipts from operation.....	\$37,380,307.64	\$35,477,111.28	50.64	1.56	\$1,903,196.36
Express privileges—Dr. (47.53 per cent of receipts from operation).....	17,765,999.69	16,861,710.31	24.07	.74	904,289.38
Total operating revenues.....	19,614,307.95	18,615,400.97	26.57	.82	998,906.93
Operating expenses (77.25 per cent of operating revenues).....	15,151,337.42	14,380,134.35	20.52	.63	771,203.07
Taxes (1.22 per cent of operating revenues).....	239,864.48	227,655.38	.33	.01	12,209.10
Operating income (21.53 per cent of operating revenues).....	4,223,106.05	4,007,611.24	5.72	.18	215,494.81

The average weight per revenue piece was 32.52 pounds.

<sup>1</sup> On basis of 70,063,750, the number of revenue pieces handled.

<sup>2</sup> On basis of 2,278,147,170 pounds, the aggregate of revenue pieces handled.

<sup>3</sup> Represents "Revenue from operations other than transportation" and "Miscellaneous transportation revenue" as defined in the Classification of Operating Revenues, and revenue from shipments of money, valuables, etc., not properly includible in tonnage report returns.

<sup>4</sup> Represents an arbitrary assignment on basis of ratio (94.91 per cent) of tonnage revenue to total receipts from operation.

<sup>5</sup> Represents an arbitrary assignment on basis of ratio (5.09 per cent) of other revenue to total receipts from operation.

<sup>6</sup> See note (4).

<sup>7</sup> See note (5).

NOTE.—Differences between items in the foregoing summary and corresponding items in Summary No. 3, on page 18, are due to the fact that this statement presents combined returns from the 11 companies only from which complete reports both of revenues and expenses and of tonnage were received.

In making the comparison the distance of the haul of the express and the mails should, of course, be taken into consideration. There seems to be no data on which to base the estimate with any certainty, as that matter has not been thoroughly investigated either by the department or the commission. However, we have the reports of the department and numerous other estimates. The department's report, based on one month's weighing in 1907, estimates the average haul of first class, 507 miles; second class, 602 miles; third class, 672 miles; fourth class, 687 miles; sample copies, 873 miles; transient, 698 miles; franked, 750 miles; penalty, 782 miles; and the average, 620 miles. I am informed by the Interstate Commerce Commission that it, in analyzing the reports from 200 cities of populations of 25,000 or over, estimates the average haul of the Adams Express Co., moving 15½ per cent of the entire number of pieces moved on August 18, 1909, at 249 miles; and the United States Express Co., moving 14½ per cent of the entire number of pieces for December 22, 1909, at 188 miles. This would indicate that the haul of the mails is longer than the average haul of express; but they are estimates in the one case for one month only and in the other for one day only; and, as before stated, we have no data on which to base any estimates with any degree of accuracy; but even if these estimates are correct, the average haul of the mails is less than twice that of express, and even if that were the case there would be no justice in this Government paying five or six times the rate paid by express companies.

But you say that this is not a fair comparison; that the parcels handled by the Post Office Department are less in weight and much greater in number than those handled by the express companies, and that they require more space in cars and help in sorting and handling, and therefore the Government should pay more per pound for carrying mail matter than express companies should pay for carrying express. That may be as to the first, but not the last.

The railroads have nothing to do with sorting, loading, or unloading mail matter. Mail matter is handed to them in lots varying from a single letter to trainload lots, the bulk of it in carload lots. We have solid trains carrying nothing but mail going through Washington every day. Railroads simply carry it and the Government sorts and looks after it while in transit; and the Government pays annually about \$20,000,000 for Railway Mail Service or for sorting the mails when in transit. Besides it pays nearly \$2,000,000 for transportation of mails in screen wagons, and about one and one-half million dollars for mail-messenger service and over \$800,000 for pneumatic-tube service. On the one hand, the Government pays all expenses for sorting, receiving, and delivering all mail matter, except at certain points where the railroads do receive and deliver the mail at the post offices. On the other hand, the express companies carry all sorts of parcels from the domicile in the cities to the station, thence by rail, sort and deliver at the terminal city. For the Government, the railroads perform part of the service of transporting the mail and receive nearly

three times the pay per pound that the express companies do for rendering the total service, which includes collecting, sorting, carrying, delivering, and everything incidental to the service, and it seems to me that if the express companies can give the service at about one-third the rate paid by the Government for part of the service, and still make millions of dollars annually, the rate paid the railroads by the Government must be excessive. Why these differences and why these excessive rates? To begin with, the Government gets paid for mail matter only. Express companies get paid for actual weight of packages handled only, and equipments are furnished by both the Government and express company. Compare the contracts made by the Government with the railroad companies and those made by express companies, and you will find that while the Government gets paid for the actual weight of mail matter only, it enters into an agreement with the railroad to pay rent for cars and for carrying all equipments. On the other hand, the express companies pay a commission or tonnage on actual weight of packages handled; the rate paid generally is 50 per cent in excess of the freight rate.

The railroad companies are required to furnish the express companies with special or exclusive express trains when warranted by the volume of express traffic. The railroad companies furnish the necessary cars, keep them in good repair, furnish heat and light, and carry the messengers of the express company, as well as the safes, packing trunks, and all necessary equipment; horses, wagons, and supplies required by express companies may be transported in express cars or shipped by freight. Railroad companies furnish such room in all its depots, stations, and buildings as may be necessary for the loading and unloading, transferring, and storage of express matter provided the furnishing of such facilities shall not interfere with the business of the railway company. The railroad companies further agree to transmit free of charge the messages to express companies over telegraph lines which the railroad operates along its lines of roads, so far as it may be permitted to do so under its contract with telegraph companies. With all this extra service, the express companies pay less than one-sixth the rate which this Government pays for part of the service.

Will anyone contend that the rate paid by the Government is a just and reasonable one? With these facts before us, I can not believe that. If not a reasonable one, will Congress tolerate the injustice and permit the drain on the Public Treasury to continue? It has been proposed that the Government should take over the express companies' business and their contracts; that the Government should handle all express as well as all mail matter; that the two could be owned and operated by the Government to the advantage of the people; that with the unreasonable charges made for handling express, the millions of errors or overcharges reported to have been made by the express companies.

As to the number of overcharges, I might add that upon inquiry I was told by the Interstate Commerce Commission that

upon their investigation of one day's business of two companies the commission found, in the case of the Adams Express Co., 3,200 overcharges, ranging from 5 cents up, aggregating \$287, offset by undercharges aggregating \$260; and with the United States Express Co., 3,800 overcharges, aggregating \$471, offset by 2,400 undercharges, aggregating \$274. The total errors made by the two companies were over 10,000 in one single day. What the total number of all the companies in all these years are no one can tell, but it is safe to say that they run up into the millions and that the overcharges in the aggregate amount to millions of dollars. In view of these numerous errors, and generally in favor of the express companies, the millions of dollars overcharged, with existing conditions, it is contended that Congress would be justified in taking over the express business. In my opinion the express business rightfully belongs to the railroads proper and the Government postal business. And, furthermore, I believe that neither the people nor the stockholders of the railroads are being justly treated by the owners and operators of the express companies. As we know, in railroads, like many other large companies, the management or those in control organize subcompanies for the purpose of robbing the stockholders of the railroads which they control of part of their profit, as, for instance, in the Beef Trust subcompanies are organized, and a few of those in control of the trust own and control the stock of the subcompanies. With the Beef Trust the by-products are sold to the subcompanies at low prices, thus robbing their stockholders or the trust of part of the profit, and for their own special benefit. So with the railroads. Those in power and control of the railroads proceed to organize a subcompany; they call it an express company; they elect themselves to office. The express companies, then, are merely subcompanies of the railroads, and the officers or directors are generally a self-perpetuating body. I quote from the Interstate Commerce Commission's report. Referring to the United States Express Co., it says:

The directors of this company are a self-perpetuating body, although it is provided in the articles of association and agreement that when shareholders owning two-thirds in amount of the shares of the company shall request it in writing a meeting of shareholders for the election of directors shall be held. No such meeting has been held since 1862. The articles of the association of agreement read in part as follows:

But it is hereby expressly understood and agreed that no director herein named and that may hereafter be elected shall be concerned or interested in any business or thing detrimental to the interest of said company or in opposition thereto.

Among the directors of the United States Express Co. is Mr. Stetson, general counsel for the Northern Pacific Railway and Southern Railway; also director of the Chicago-Erie Railroad and Erie Railroad. Mr. Weir, director, is chairman of the board of managers of the Adams Express Co. and director in a number of railway companies.

#### SOUTHERN EXPRESS CO.

One of the directors of the company is M. F. Plant, who is also a director of the Atlantic Coast Line Railroad, Chicago, Indianapolis & Louisville Railway, and in the Peninsula & Occidental Steamship Co. The number of stockholders is 30.

In the Wells, Fargo Co., by referring to the names of the directors, it will be found that the Erie Railroad and the Harriman lines are strongly represented on the board of directors. The directors of the company on June 30, 1909, were Dudley Evans, F. D. Underwood, E. H. Harriman, J. J. McCook, W. V. S. Thorne, A. K. Van Deventer, William Mahl, F. V. S. Crosby, and H. W. De Forest, all of New York; and H. E. Huntington, George E. Gray, and W. F. Herrin, all of San Francisco, Cal.; and J. Kruttschnitt, of Chicago, Ill. Of these, Mr. Underwood was the president of the Erie Railroad and president or director of 80 or more railway and industrial companies; Mr. Harriman then headed the Harriman system of railways; J. J. McCook was of the firm of Alexander & Green, attorneys, and was director in certain insurance and banking concerns; Messrs Kruttschnitt, Thorne, Van Deventer, Herrin, Mahl, and Crosby were officers of the Harriman lines, while Mr. De Forest was a director of the Southern Pacific Co. Mr. Kruttschnitt was also a director of the Pacific Express Co.

The Western Express Co. has six stockholders. The board of directors June 30 was composed of the following: E. Pennington, W. L. Martin, C. W. Gardner, and H. B. Dike, all of Minneapolis, Minn., and W. F. Fitch, of Marquette, Mich. Of these, Messrs Pennington, Martin, Dike, and Gardner were officers of the Minneapolis, St. Paul & Sault Ste. Marie Railway and Mr. Fitch was president of the Duluth, South Shore & Atlantic Railway.

In the Pacific Express Co. the number of stockholders is given as 12. On June 30, 1909, the company was controlled

through stock ownership by the Missouri Pacific Railway (40 per cent), Union Pacific Railroad (40 per cent), and Wabash Railroad (20 per cent). The directors of this company on June 30, 1909, were James Eggleston, C. S. Clarke, S. B. Schuyler, and E. B. Prior, of St. Louis, Mo.; F. A. Delano and J. Kruttschnitt, of Chicago, Ill.; and Erastus Young, of Omaha, Nebr. Of these, Mr. Clarke and Mr. Schuyler were officers of the Missouri Pacific Railway, Mr. Prior and Mr. Delano of the Wabash Railroad, Mr. Young of the Union Pacific Railroad and the Southern Pacific Co. and director of Wells, Fargo & Co.

In the Northern Express Co. the total number of stockholders is given as six, and the directors are Howard Elliott, J. M. Hannaford, and C. W. Bunn, all of St. Paul, Minn.; and J. N. Hill and George H. Earl, both of New York, N. Y., all of whom were officers of the Northern Pacific Railway.

In the National Express Co. the number of shareholders is eight. The directors are Johnston Livingston, Lewis Cass Ledyard, James C. Fargo, Francis F. Flagg, and William C. Fargo, all of New York, N. Y. The first four named are also directors of the American Express Co.

In the Great Northern Express Co. the total number of stockholders is six. This company is controlled by the Lake Superior Co. (Ltd.) through stock ownership. The directors are R. I. Farrington, Louis W. Hill, E. Sawyer, J. M. Gruber, and W. W. Broughton, all of St. Paul, Minn., and all officers of the Great Northern Railway.

In the American Express Co., among its directors are two directors of the New York, New Haven & Hartford Railroad, and \$3,000,000 of its shares are owned by the New York Central & Hudson River Railroad. James C. Fargo, one of its directors, is also director of the Chicago & Northwestern Railway and the National Express, president and director of the Westcott Express Co. Ledyard, one of its directors, is a director of the Hartford Railroad and Northern Pacific Railroad. Mr. Pratt, one of its directors, is treasurer and director of the Standard Oil Co. of New Jersey and director of the Long Island Railroad and New York, New Haven & Hartford Railroad.

#### ADAMS EXPRESS CO.

The managers of this company (who acted as directors) as of June 30, 1909, were Levi C. Weir, William M. Barrett, Charles Steele, Basil W. Rowe, Dumont Clarke, and George F. Baker, all of New York, and William H. Damsel, of Chicago, Ill.

Mr. Weir was a director of the Des Moines & Fort Dodge Railroad, Iowa Central & Western Railway, Iowa Central Railway, Minneapolis & St. Louis Railroad, Norfolk & Western Railway, United States Express Co., and also in various steamship, banking, insurance, and land companies.

Mr. Steele was of the firm of J. P. Morgan & Co., and was a director in a number of railway lines, among them the Atchison, Topeka & Santa Fe Railway, Central Railroad of New Jersey, Cincinnati, Hamilton & Dayton Railway, Erie Railroad, Lehigh Valley Railroad, Northern Pacific Railway, and Southern Railway; and also in various other railway and industrial corporations.

Mr. Rowe was a director in the subsidiary companies of the Adams Express Co. and of the Standard Trust Co.

Mr. Clarke was a member of the board of managers of the Delaware & Hudson Co. and director of the Long Island Railroad, of the Manhattan Railway, and of certain industrial, financial, and insurance companies.

Mr. Baker was a director in the Central Railroad of New Jersey, Chicago, Burlington & Quincy Railroad, Cincinnati, Hamilton & Dayton Railway, Colorado & Southern Railway, Delaware, Lackawanna & Western Railroad, Erie Railroad, Lake Shore & Michigan Southern Railway, Lehigh Valley Railroad, Michigan Central Railroad, New York Central & Hudson River Railroad, Northern Pacific Railway, and Pere Marquette Railroad, and also in numerous banking, trust, and industrial companies.

It will be observed that four of the seven managers (directors) were interested in the management of railway lines.

This, I believe, is sufficient to show that the express companies are owned, officered, controlled, and managed by the very men who control and manage the railroads; that the express companies are simply subcompanies and a part of the railroads.

And as all the stockholders of the railroads do not share in the profits on tonnage thus transported, therefore the express business does not rightfully belong to those who now own and control the express. In justice to the stockholders of the railroads, the express business should be done by the railroads proper, or at least the heavy end of it, which might be carried under the head of fast freight, and all small packages of light weight might be carried as express by the Government, and in conjunction with the postal business, if not practicable for railroads to carry same as fast freight.

Another thing. The House has adopted a rule making parcel-post legislation in order as an amendment to this bill. It must be clear to everybody that with present rates paid railroads for carrying mail matter and the rate paid railroads for carrying express by express companies, that the Government can not compete with the express companies, and that a parcel post that would be of any benefit can not be made self-supporting, and if any parcel post is to be provided for, the rate paid for carrying the mail matter and parcels must be made as low as that paid by the express companies before a beneficial and self-supporting parcel post can be had. Even then I fear that the Government can not compete, as its expense for collecting, delivering, and handling parcels outside of railroad transportation would be much more than that of private concerns, where economy is practiced and where better business methods are employed. Judging from the Government's past experience in its business undertakings, such as the Printing Office and the postal business, I believe that the Government will never be able to compete with private enterprises, and I fear that a self-supporting and beneficial parcel post can not be had under our form of Government; in fact, I am sure that it can not be had until the pay for carrying parcels by railroads is reduced, and possibly not until the whole postal system is reorganized and readjusted, with improved and better business methods. If it is not possible to now reduce these rates to the extent of 10 per cent, then I submit that we have no right to look for any reduction in the cost of any of the service in the department, because this is the most unjust and unreasonable of all the items in the bill, and if there is to be no reduction in the cost or readjustment of the postal system, then it goes without saying that there is no possibility for a self-supporting and beneficial parcel post. But it is not my intention to go into a general discussion of this question at this time, and all that I wish to say on this subject at this time is that thousands have written and petitioned Congress, some for and some against parcel post.

In reply to the many inquiries coming to me, I have said that it is an important question and it should be given most careful and thoughtful consideration, in order that it may be disposed of intelligently and wisely. While there are divers opinions on this all-important question, I believe all are practically agreed that if a parcel post is established it should be made self-supporting, or nearly so, and beneficial to the patrons thereof; that the service should be had at a reasonable rate and at the same time stand on its own legs and be carried on without a heavy drain on the Public Treasury, or without any considerable expense to the public. In other words, it should not be made to rob Peter to pay Paul. All kinds of bills have been introduced, few, if any, of which would put the business on a self-supporting basis, while many of them would if enacted into law drain the Public Treasury of millions of dollars every month. Millions of people are honest and earnest in their desire for parcel post, and properly so; but, evidently, outside of that there are also certain powerful interests who evidently for selfish purposes are putting forth every effort possible in support of parcel post, no matter how unreasonable nor what the cost to the Government might be. Heading this group of interests are, undoubtedly, the railroads, who would be the ones to reap the most benefit, no matter which of the several bills now offered might become law. Misrepresentations and misstatements have been sent out from the headquarters of certain promoters of parcel post and scattered broadcast over the country, evidently for the purpose of misleading the people and prejudicing them against Members of Congress by questioning the integrity of those Members who, conscious of their solemn oath of office, are honestly endeavoring to dispose of the matter to the best interests of all concerned and who, therefore, must necessarily take issue with attorneys and lobbyists generally believed to be in the employ of the railroads and working for their selfish interest. One impression they seek to create, for instance, is that the Members are opposed to parcel post because of the influence of the express companies, overlooking the fact that the express companies are owned and generally officered by officials of the railroads and that the establishment of parcel post under present contracts would increase the pay to the railroads for carrying parcels transferred from express to parcel post five times over. As stated, the Interstate Commerce Commission's report shows that express companies receive, on an average, \$1.54 per hundred for handling express, and of that amount the railroads receive about 45 per cent. The Postmaster General's report shows that the Government pays more than 4 cents per pound for all mail matter carried by the railroads. The same rate would, of course, apply to parcel post. The average cost, including all expenses for handling mail matter, is about 17 cents per pound. These are facts based on official reports. The

average cost to the Government for handling parcel post is estimated from 8 to 15 cents per pound. If these facts and estimates are correct, the railroads would gain more than \$3,000,000 for every \$1,000,000 of business transferred from express to parcel post. If parcel-post service will cost the Government, as estimated, from 8 to 15 cents per pound, it goes without saying that any self-supporting parcel post will not benefit any patron of that service, because the average rate is several times higher than the average rate charged by express companies, who thus have nothing to fear from Government competition.

The appropriation bill reported out by the House committee provides for a parcel post at 12 cents per pound. It is estimated that the rate proposed will make the service self-supporting, but as that rate is several times higher than the average rate charged by the express companies it will not, of course, benefit the general public. But the bill also provides for a commission to investigate and report as to the feasibility and probable cost of parcel post, and as that information is much desired and needed to determine the general character of desirable legislation it will be of value, and, in my opinion, the information should be had before the question can be intelligently and wisely disposed of.

The fact that the express companies are only a part of the railroad companies or a subcompany owned and operated by the managers or those who control the railroads, it also goes without saying that they would be for the scheme that will bring the largest revenue to them and those they represent, and as parcel post would mean a \$4 rate instead of a 75-cent rate paid by express, naturally they are for the parcel post, and that, I take it, accounts for their activity in its favor.

References have often been made to statements purported to have been made by William C. Thorne, general manager for Montgomery, Ward & Co., before the committee, stating that the postal rate of 1 cent per ounce, or 16 cents per pound, is four times the average \$4 express rate and twelve times the average \$1.25 freight rate paid by his company. James L. Cowles, in one of his letters, points out that express companies have adopted a flat rate on fruit, nuts, and vegetables from 36 California towns to all express points within the United States and a large part of Canada of 35 cents for the first 8 pounds and 4 cents for each additional pound, and asks why not a similar or even a cheaper service by the Government. If parcel-post service will cost the Government 12 cents a pound the 4-cent rate contended for by Mr. Thorne and Mr. Cowles would produce a loss to the Government of \$8,000,000 on every \$12,000,000 of business.

With these facts before me, I have felt that I could not accommodate the railroads in this matter. They now receive more than a billion dollars net profit annually, and it seems to me that a contribution equal to more than \$11 for every man, woman, and child in the United States, or an amount eight times the total annual output of gold and silver in this country, is sufficient profit now. While express rates are high and unreasonable and should be lowered, the reduction can not be accomplished by the establishment of parcel post. That can and should be done by the Interstate Commerce Commission, which has been given power by Congress and whose sworn duty it is to fix just and reasonable rates, the same power as it has to fix freight rates.

Many of you have, as I have, received petitions signed by large numbers of merchants in your district, similar or identical in form to the one which I will now read, omitting the names of the 20 merchants having signed it and the town:

Petition to the Hon. G. N. HAUGEN, Member of Congress from the fourth district of the State of Iowa.

We, the undersigned doing business in the city of \_\_\_\_\_, respectfully ask that you use your influence in favor of and that you vote for legislation that may be brought before Congress that will give the Interstate Commerce Commission further power looking toward the regulation of express rates and express classifications. Further, we ask that you use your influence with the Interstate Commerce Commission, urging them to take action as soon as possible in regard to the regulation of express rates and revision of classifications that the people of the United States may have relief.

We are deeply interested and want the Interstate Commerce Commission given any power it may be necessary for them to have, that express rates may be regulated by this commission.

We feel that the transportation charges of the express companies are exorbitant and unjust, and that their charges are out of all proportion to the service rendered and the amount of actual money invested.

Therefore we ask that you assist us both in having the Interstate Commerce Commission granted full power to act and enforce their findings, and that you use your influence in urging the Interstate Commerce Commission to take action with the power they already have at the earliest possible moment.

We feel that our request deserves your serious consideration.

Congress has already given the commission the power necessary for them to regulate express rates; it has the same power over the regulation and classification of express rates as it has over freight rates; and, in my opinion, there is no excuse for

the existing exorbitant express rates nor the millions of overcharges. And if the Interstate Commerce Commission does not or can not exercise its power in fixing just and reasonable express rates, or if the Commerce Court, or any other court, continue to hold up the decisions of the commission and thus delaying or preventing justice to the public, or, in other words, if the legislation already on our statute books is not being enforced, I take it that additional legislation would meet with the same fate.

Then and with the fact that the express companies, through their organization and operation of the express company, continue to rob not only their copartners or stockholders of railroads out of their share of profit, but the public as well, in charging not only exorbitant rates but by adding thereto millions of overcharges under the pretense of errors. With these facts before us, it seems to me, with this rank injustice, that the only way open to Congress in securing justice to the public is for it to take over the express companies, and especially if rates paid railroads for carrying mail matter can not be readjusted and made a reasonable and just one.

If the rate paid by the Government for carrying mail matter can not, under the rules of the House, be readjusted and made a reasonable rate, we can, by taking over the express companies and their contracts, transfer much of the mail matter, such as equipments, empty sacks, second-class matter, and parcels, to the express cars at express rates, which will be carried at less than 1 cent a pound instead of 4 cents per pound, the present rate paid, and if one-half of the mail matter can thus be transferred—or, say, 700,000,000 pounds of mail matter can be carried in express cars at the rate of less than 1 cent per pound instead of 4 cents, now paid, the Government will save more than \$21,000,000 in transportation charges on the 700,000,000 pounds. And the saving in transportation for two years would pay for all the property necessary to be condemned or purchased from the express companies. This can be done without any injury to anybody. The express companies would be paid a reasonable price or full value for property condemned or purchased. The railroads would be paid the same rates which they are now being paid for carrying express and mail matter. The only difference to them would be that they would carry less in mail cars but more in express cars. The twenty to twenty-five million dollars saved to the Government thereby would, of course, reduce the revenue of the railroads correspondingly, but no one contends that railroads are underpaid by the express companies, hence the twenty to twenty-five million dollars gained to the Government would do no injustice to the express companies or the railroads. With these facts in view, and especially the thousands of overcharges made by express companies claimed to be errors, the excessive rate paid the railroad company by this Government, the saving that can be made in transportation of mail matter—while I do not favor Government ownership in general—I believe that unless we can right this wrong I shall feel it my duty to vote to take over the express companies' contracts and what property needed to carry on the express business by the Government. It has been said that this is a step in the direction of socialism. It is no more Government ownership or socialism than the building and operating the Panama Canal, the postal business, the owning and operating of boat lines between New York and Colon, or the Panama Railroad, or the owning and operating of the Government Printing Office, and numerous other things. Call it by what name you choose, the express companies and railroads have made it necessary to take the step in order to secure a square deal.

In view of the fact that the express companies are organized and operated by the few stockholders who control railroads for their own personal gain and to deprive their stockholders of their share of profit on the business diverted from freight to express, no injustice will be done to the stockholders of the railroads in general in taking over the express. It will simply transfer the express business from those wrongdoers to the railroads proper and the Government where the express business properly belongs, or at least as much as the freight and postal business is a function of the railroads and the Government, respectively.

The consumer, the merchant, the manufacturer, the farmer—in fact, every patron of the express companies—are entitled to better treatment than they have heretofore received at the hands of the express companies. The taking over of the express companies may not reduce the express rates to the public; as under our form of government, with its lack of proper business methods employed and its expensive way of conducting business in general, it is not possible for the Government to compete with private enterprises with their modern and best business methods, but it will save the Government more than

\$20,000,000 annually in the transporting of mail matter; besides, it will do away with the thousands of overcharges and manipulations of schedules, and will insure to all patrons of the express a uniform and possibly a lower and reasonable rate. It will make the Post Office Department self-supporting and make 1-cent postage possible. Another matter that may well be considered in this connection is the contention over the rate paid on second-class matter.

One contention is that the express companies should be prohibited by law from carrying second-class mail matter, and that would make up a part of the deficit. If it costs the Government, as estimated by the Postmaster General, 9 cents a pound to handle second-class matter, and it charges only 1 cent, for every dollar it receives it pays out \$9, and is out \$8 on every \$9 transaction, hence we can not increase the net revenue of the department by increasing the second-class mail matter business. To the contrary, the greater the business the greater the deficit will be.

Another contention is that the rate on second-class mail matter should be increased to the rate which it actually costs the Government for handling second-class matter, which is estimated at 9 cents per pound, and that it would increase the revenue to the extent of \$60,000,000. The present rate on second-class mail matter is 1 cent per pound; yet with that low rate much of the second-class matter is now sent by express, much of it is carried at half a cent per pound—for instance, from Philadelphia to Kansas City, a distance of over 1,000 miles, the rate is 50 cents per 100 pounds. If the publishers can save money by shipping magazines and second-class matter by express with the present Government rate of 1 cent, are they likely to send their publications through the mail when we increase the rate to 4 or 9 cents per pound? If the express companies could carry second-class mail matter at half the rate that the Government does, or at one-eighteenth of what it actually costs the Government, can not the Government by taking over the express companies' business and contracts carry it at the same rate charged by express companies? If so, the bulk of second-class matter can be transferred to express cars and carried at express rates, which will insure not only a much lower transportation rate but equally as good and prompt service, as the express cars are hauled on the same train as are the mail cars. Special express trains run as fast as special mail trains do. Papers can be carried to and from the post offices by either the mail or express messengers and be distributed through the post office; hence the second-class matter can be dispatched and handled as promptly and satisfactorily to the publishers through the express cars as it is now handled. If so, why not make it possible for the Government to continue the present low rates of 1 cent per pound? The policy of Congress in the past has been to disseminate knowledge, not only by the distribution of public documents but by encouraging worthy and legitimate publications—the semiweeklies, the dailies, and other periodicals. It has given newspapers and magazines a rate of postage much below the actual cost of the service to the Government, certainly not with a view of making money but for the diffusion of knowledge and to promote education, happiness, and the welfare of our people. If by taking over the express business it will enable the Government not only to continue the present rate of second-class matter, and possibly to reduce it, but to give a 1-cent postage, and if it is the only way open to insure uniform and reasonable postal and express rates to all, it seems to me that it should be done.

Mr. MADDEN. If the gentleman from Iowa will permit, the point I wish to make is that we ought not to reduce the compensation paid, but that if we do reduce it, we ought to do it because we know why we reduce it. We ought to know just exactly how much we ought to reduce it. We should not, in other words, jump at conclusions. We should not say that we will only pay a certain amount for a service for which we are now paying a great deal more money, unless we investigate the situation and are able as the result of that investigation to determine the justice of our action. I am in favor of getting the work done at the lowest possible price, but in doing that I am in favor of doing justice to the people with whom the Government has contracts.

Mr. HAUGEN. I will call the gentleman's attention to the fact that this matter has been investigated a number of times. A number of commissions have been appointed, and they have investigated the matter and reported it to the House.

Mr. CULLOP. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. HAUGEN. I do.

Mr. CULLOP. I want to call the attention of the committee to the fact that this question has been ruled on once before, and

ruled on favorably to the amendment now offered. It is found in the Parliamentary Manual of the House at page 409:

An amendment reducing the amount appropriated for railroad transportation of mails, coupled with a proviso directing the Postmaster General to reduce 10 per cent the annual compensation for transportation of mails on railroads, was held to be in order as within the exceptions to the rule.

Mr. MOON of Tennessee. Mr. Chairman, in order that we may go on I withdraw the point of order.

Mr. MANN. I renew the point of order.

Mr. CULLOP. That was under the Holman rule, and it cites Hinds' Precedents, volume 4, page 3891, so that the question there seems to have been squarely decided by the Chair in favor of the contention now made. As the amendment offered by the gentleman from Iowa now is practically the same as the question presented there, it seems that ruling is conclusive.

Now, as to the advisability of the amendment, it seems to me no gentleman on this floor ought to question that this Government is paying these railroads not only too much, but outrageously so. These amounts now paid are unreasonably high and ought to be reduced. No person here ought to question that, and this amendment comes squarely under the exception of what is known as the Holman rule, and it is certainly in order under the precedent that I have offered here. I hope the amendment will be adopted.

Mr. MANN. Mr. Chairman, I suppose it is not necessary for me to call the attention of the Chair to the fact that the precedent cited by my friend from Indiana [Mr. CULLOP] has no application to the pending amendment. I invoked the same precedent the other day when an amendment was pending, and the Chair ruled it in order. This is an entirely different amendment, and it is not in order under the precedent cited.

The CHAIRMAN. The Chair has not the law referred to in the proposition offered by the gentleman from Iowa [Mr. HAUGEN], but, so far as advised, the Chair is inclined to sustain the point of order on that portion of the rule which provides—

That it shall be in order to amend such bill upon the report of the committee or any joint commission authorized by law or the House members of any such commission having jurisdiction of the subject matter of such amendment, which amendment, being germane to the subject matter of the bill, shall retrench expenditures.

The Chair thinks the amendment is subject to a point of order, and the Chair sustains the point of order.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word.

Mr. MANN. That can not be done. That has just been done, and it is too late to strike out the last word.

Mr. MURDOCK. I ask unanimous consent, then, to address the committee for five minutes on this paragraph.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to address the committee for five minutes. Is there objection?

Mr. MANN. Let the gentleman come in under the next paragraph.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Railway Mail Service: For 14 division superintendents, at \$3,000 each; 4 assistant superintendents, at \$2,200 each; 14 assistant division superintendents, at \$2,000 each; 139 chief clerks, at \$1,800 each; 295 clerks, class 6, at not exceeding \$1,600 each; 1,536 clerks, class 5, at not exceeding \$1,500 each; 635 clerks, class 5, at not exceeding \$1,400 each; 2,889 clerks, class 4, at not exceeding \$1,300 each; 2,496 clerks, class 4, at not exceeding \$1,200 each; 6,644 clerks, class 3, at not exceeding \$1,100 each; 2,727 clerks, class 2, at not exceeding \$1,000 each; 600 clerks, class 1, at not exceeding \$900 each; 600 clerks, class 1, at not exceeding \$800 each; in all, \$21,035,550.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I see there is carried in this bill as section 7 a reclassification of the railway mail clerks. It goes into effect at the beginning of the fiscal year covered by this bill.

Now, in this part of the bill you carry an appropriation for these clerks specifically. Is it not necessary to have some provision in the bill that will permit the use of this money, unless it is already in the bill, if the classification of section 7 be agreed to? I call the attention of the gentleman from Tennessee, so that he can answer.

Mr. MOON of Tennessee. The classification under section 7 does not conflict in any way with the proposition before the House, as I see it.

Mr. MANN. It seems to me it does.

Mr. MOON of Tennessee. Where?

Mr. MANN. Is not this proposition the one that carries the appropriation for railway mail clerks?

Mr. MOON of Tennessee. Yes.

Mr. MANN. And it is specifically provided how many clerks there shall be in each of these classes.

Mr. MOON of Tennessee. Yes.

Mr. MANN. But that will not be the situation after the 1st of July under section 7, putting into effect the new classification of railway mail clerks.

Mr. MOON of Tennessee. If there will be a readjustment of the pay, of course there will be a change of totals in the bill.

Mr. MANN. There is no change of totals in the bill at all.

Mr. MOON of Tennessee. There will be a change, if we pass that provision, or there will have to be an additional appropriation.

Mr. MANN. It may require an additional appropriation, but the additional appropriation is not in the bill, and has nothing to do with the question of totals. You do not provide in section 7 the number of different clerks in each grade; but in the item which has just been read, you do provide the number in each grade at each salary. That number will be varied when the reclassification goes into effect, and the appropriation for the number of clerks specified in the item just read should be made available for use under the reclassification. Otherwise you will have a law providing for clerks but no money with which to pay them.

Mr. MOON of Tennessee. What is the date of the going into effect of this section?

Mr. MANN. Section 7 says that after June 30, 1912—

Mr. MOON of Tennessee. It should be 1913.

Mr. MANN. I am reading the bill as it reads: "After June 30, 1912."

Mr. MOON of Tennessee. I am reading the bill: "After June 30, 1913." I read from page 33.

Mr. FOSTER. There is just a year's difference between the two gentlemen.

Mr. MANN. That is another proposition. That is not the reclassification. That is in reference to promotions. I am reading the provision of the bill which reclassifies these clerks.

Mr. MOON of Tennessee. What page?

Mr. MANN. Page 31.

Mr. MOON of Tennessee. I think there is a mistake in the gentleman's print. It ought to be 1913 instead of 1912.

Mr. MANN. I am inclined to think the purpose was to have the reclassification begin with the next fiscal year, but the money ought to be available for the reclassification. I call it to the attention of the committee, who will undoubtedly take care of it in some shape.

Mr. MURDOCK. I wish to say to the gentleman from Illinois that that date left the committee different from what it is now. My impression is it has been changed since it left the committee.

Mr. MANN. I think not. This is the question of promotions.

Mr. MURDOCK. I understand.

Mr. MANN. The provision of section 7, as to promotions, begins with June 30, 1913.

Mr. MURDOCK. Yes.

Mr. MANN. But the reclassification commences with the first of the next fiscal year.

Mr. MOON of Tennessee. It can not take effect until 1913, under this bill.

Mr. MANN. It says the reclassification shall take effect.

Mr. MOON of Tennessee. But the practical effect of it will not be until 1913.

Mr. MANN. It would not take effect if there was no money to pay the clerks, but I think the intention was to make it take effect.

Mr. MADDEN. It was the understanding of the committee that it would not take effect until 1913.

Mr. MOON of Tennessee. It was not the purpose to make it effective until June 30, 1913.

Mr. MURDOCK. I want to say to the gentleman from Illinois that the fact about this is that while a change in the classification of the railway mail clerks is provided here, that classification, so far as the salaries received and the promotion to which they are entitled, will not take place until June 30, 1913.

Mr. MADDEN. That was understood.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

And the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum.

Mr. MANN. Mr. Chairman, I make a point of order against that paragraph.

Mr. MOON of Tennessee. I concede that the point of order is well taken.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For substitutes for clerks on vacation, \$72,000.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to return to line 14, which we have just passed, for the purpose of offering an amendment which I think the chairman will favor.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to line 14, page 20.

Mr. MANN. Reserving the right to object, I would like to have the amendment reported.

The Clerk read as follows:

Add, after the word "clerks," in line 14, page 20, the words "acting railway postal clerks and substitute railway postal clerks."

The CHAIRMAN. Is there objection to returning to line 14? There was no objection.

The amendment was considered and agreed to.

The Clerk read as follows:

For acting clerks in place of clerks or substitutes injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the clerk's annual salary for the period of disability exceeding one year, but not exceeding 12 months additional, and to enable the Postmaster General to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives of any railway postal clerk or substitute railway postal clerk who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury, \$120,000.

Mr. REILLY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, line 6, page 21, by inserting after the words "postal clerk" the words "or employee of the sea post service."

Mr. REILLY. Mr. Chairman, I offer that amendment in view of the fact—

Mr. MANN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The Chair thinks the gentleman is too late; the gentleman from Connecticut had begun to address the Chair.

Mr. REILLY. Mr. Chairman, I will state that my object in offering that amendment is to include in this law the heirs of clerks in the sea post service. By the sinking of the *Titanic* three employees of the Post Office Department who were engaged on that ship lost their lives. They were William M. Gwinn, of New York; Oscar W. Woody, of North Carolina, and John S. March, of New York. I feel that it is but just and fair that men employed in the postal service who risk their lives on a ship should be put in the same category as the railway mail clerks, and that their families should receive the benefits of this provision. That is the object of the amendment. One of these men, Mr. Gwinn, was not due to sail on the *Titanic*. He made a transfer that he might be back in New York to be present when an operation was to be performed on his wife. That love and devotion cost him his life.

Mr. MANN. The gentleman's amendment says "employee of the sea post service." Would not the gentleman be willing to make it read "sea post clerk," so that they will know exactly what is meant?

Mr. REILLY. That would be acceptable to me.

Mr. MANN. If the gentleman would use the language "sea post clerk or substitute sea post clerk"—

Mr. REILLY. That is also agreeable.

Mr. MANN. I think there might be some question about the language of the gentleman's amendment.

The CHAIRMAN. What is the amendment suggested by the gentleman?

Mr. MANN. Add after the word "postal clerk," line 6, page 21, the words "sea post clerk or substitute sea post clerk."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 21, line 6, after the words "postal clerk," insert the words "sea post clerk or substitute sea post clerk."

Mr. COOPER. I suggest that to make the amendment read properly you should strike out the word "or" after the first word "clerk" in the same line.

Mr. REILLY. That should be done to make it read properly.

Mr. MURDOCK. Mr. Chairman, I did not catch the reading of the gentleman's amendment. He does not undertake to appropriate any money for the payment to the heirs of these men who lost their lives on the *Titanic*, but this is merely for the future?

Mr. REILLY. If this law is passed, hereafter the heirs of railway mail clerks who lose their lives will get \$2,000. Now, in passing this law I thought that we should include mail clerks on the regular seagoing vessels. We are making no specific appropriation now for these particular clerks, but are putting them under the general law which we hope will pass.

Mr. KENDALL. Mr. Chairman, I want to ask the gentleman from Connecticut, as he is a member of the Committee on the Post Office and Post Roads, if the committee has considered

the propriety of increasing the amount to be allowed in cases of this character?

Mr. REILLY. The committee has considered it.

Mr. KENDALL. And in the judgment of the committee \$2,000 is the maximum that ought to be provided?

Mr. REILLY. That was the judgment of the committee.

Mr. MANN. I want to call the attention of the gentleman from Iowa to the fact that it was \$1,000 a few years ago, and I offered an amendment to make it \$2,000.

Mr. KENDALL. I know it, but I thought it might be further increased, and I was in hopes that the committee might have favorably considered it.

Mr. STERLING. Mr. Chairman, why should not the amendment relate also to the first line of that paragraph? Why should not they have the same relief? They are acting clerks in place of clerks or substitutes. Why not make it apply to sea post clerks there just the same as in the latter part of the paragraph?

Mr. REILLY. I should think it should.

Mr. STERLING. It seems to me so.

Mr. REILLY. And I think the word "clerks" covers that.

The CHAIRMAN. The question is on agreeing to the amendment as modified.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the amendment as modified be again read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 6, after the word "clerk," at the beginning of the line, strike out the word "of" and insert after the words "postal clerks" the words "sea post clerk or substitute sea post clerk."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. ESCH. Mr. Chairman, I move to strike out the last word. This provision as it now is liberalizes the existing law in that it gives an allowance to men who are injured in the service for a period of one year equivalent to their salary, and for a period of an additional year up to 50 per cent of such salary. This is a new provision in the law, as I understand it. I am fully in accord with this action of the committee and believe that we can not deal too generously with this most worthy class of Government employees. In my opinion they are in as hazardous employment as any Government employees, not excluding the members of the Army and the Navy. I have had several cases come to my attention lately where men in the Railway Mail Service have been disabled while in the service and in line of duty, who were required to hand in their resignations because they could no longer perform the duties of railway mail clerks. They were therefore left without employment, disabled so that they could not earn a livelihood by manual labor. In my opinion the Government owes to these injured railway mail clerks a still further duty, and I would make the suggestion—I can not offer it as an amendment, because it would be subject to a point of order—that legislation be offered by the Committee on Post Offices and Post Roads to make such injured railway mail clerks eligible to appointment in some other position in the Post Office Department to which they are fitted mentally and physically. It seems to me that is the least duty that we could perform for this worthy class of clerks.

Mr. MADDEN. As I understand it, the statement of the Second Assistant Postmaster General to the committee was to the effect that where men were injured in the service and they were capable of doing any kind of work at all they were always provided for in some place that would give them a livelihood.

Mr. ESCH. Mr. Chairman, I have in my hand statements of two railway mail clerks, one, Mr. C. L. Hughes, who was injured in three separate railway wrecks. After the last injury he was given a position as transfer clerk in Nashville, Tenn. The position was abolished, and he was left without employment. I have in mind another case, that of N. W. Borden, who was in two railroad wrecks, in the last of which his spine was injured, so that to-day he has to use a cane and a crutch. His resignation was requested, and he to-day is out of the service. I do not complain as to this action on the part of the department, because they are seeking to fill these positions with men who can do a day's work, but it seems to me that we should give more power or discretion to the department to aid men of this character who are injured in the line of duty.

Mr. NYE. Mr. Chairman, will the gentleman yield?

Mr. ESCH. Certainly.

Mr. NYE. This provision does not cover men who are weighing mails periodically for the Government, does it?

Mr. ESCH. I should think not.

Mr. NYE. Why should it not? I have in mind two or three instances of men who were weighing during these periodical

weighings where they were injured. One man was heroic in saving the property of the Government and received serious injury. Why should not this provision cover men in the employ of the Government in weighing mail? They are not clerks, under the ruling of the department.

Mr. ESCH. They are temporary employees.

Mr. NYE. They are temporary employees.

Mr. ESCH. As I have already stated, the Railway Mail Service is one of the most hazardous under the Government. During the fiscal year ending June 30, 1909, 24 clerks and 3 mail weighers were killed, 92 clerks seriously and 617 slightly injured. During the fiscal year ending June 30, 1910, 12 clerks were killed, 78 seriously and 439 slightly injured. During the fiscal year ending June 30, 1911, there were 313 railroad accidents in which postal clerks were either killed or injured.

As a result of this large number of casualties in the service, the Second Assistant Postmaster General recommended, in his last annual report, legislation which would authorize the Postmaster General, in a case where a clerk is so seriously injured in line of duty as to render him unable to perform work, after the expiration of one year from receipt of injury, to grant a further leave of absence with pay equal to 50 per cent of his regular salary, which extension is not to exceed 12 additional months. It will be noted that this recommendation of the department has been carried out in the above provision of the pending Post Office appropriation bill, but as even this increase of compensation is not considered sufficient, the further recommendation is made for retirement of disabled clerks.

If a civil pension list is to be established in the United States I know of no better place to begin than with the Railway Mail Service. Retirement has already been provided for the Army and the Navy and for the Revenue-Cutter Service, and the reasons which persuaded Congress to make such provision obtain with equal force with reference to the Railway Mail Service.

The work in this service is exhausting and the strain on many routes is nerve racking. The mail cars are, as a rule, placed immediately next behind the locomotive, so that in case of collision the mail car is the first to receive the impact. Attending to their duties within the car, with no opportunity to protect themselves, surrounded by racks, sorting tables, and heavy mail sacks, serious injury and often death is an almost necessary result of a collision.

The dangers of this Government occupation have been so apparent and have so impressed Congress that legislation has already been enacted and further legislation is sought in this pending bill to still further promote the safety of these employees by providing for the gradual abolition of the wooden mail cars and substituting therefor cars constructed of steel. Some of the most frightful accidents in this service during the last decade have resulted from the telescoping and burning up of the wooden mail car. The new steel cars now being provided under the regulations and specifications of the Post Office Department will promote safety and prevent injury and loss of life from telescoping and fire, and the good results already attained, as shown in the reduction of casualties within the last two years, warrant the conclusion that when all steel railway post-office cars have been installed loss and danger will be reduced to a minimum.

But with the best of appliances and greatest care, casualties will continue to occur, and in the absence of a retirement law applicable to railway mail clerks, the question arises whether something more can not and ought not to be done by Congress in behalf of these most worthy and faithful servants of the Government.

I am pleased to note that there has just been reported out of the House Committee on the Judiciary the Howland bill, which seeks to extend the provisions and the benefits of the bill providing for the compensation of railroad employees engaged on interstate carriers, as recommended by the Employers' Liability and Workmen's Compensation Commission, to clerks in the Railway Mail Service and to other civilian employees of the Government.

Should the Howland bill become a law, compensation at different percentages of the monthly wages of the deceased would be paid to the widow and dependent child or children under 16 years of age over a period of eight years from date of death, but should the employee be injured and survive, the percentage of his monthly wages paid to him would vary with the extent of his injury and degree of incapacitation. I sincerely hope that this bill will pass, not only because of the benefits it confers upon men employed in the Railway Mail Service, but upon other civilian employees of the Government. If Congress believes it necessary and wise to require the interstate carriers of the country to provide for compensation for their employees, it ought to be equally necessary and wise to make like compensation for its own employees.

In the event that no action be taken on legislation providing for such compensation, I believe that the department ought to be given authority by law to provide for the employment in other branches of the postal service of all railway mail clerks who have received such injuries in the line of duty as to unfit them for further duty as such clerks, so that after the two years from date of injury, during which full and half pay is granted them, have elapsed, instead of being discharged from the service they may be retained and given a chance to earn a livelihood.

I have every reason to believe that the department is desirous of retaining such injured clerks by giving them such employment as their physical condition permits them to perform, but I would go further and favor legislation which would make such injured clerks eligible for appointment under the civil service to such positions as they could fill. As assistant postmasters have now been placed under the civil service, injured railway mail clerks should be made eligible to such appointments. The knowledge and experience they have gained of postal affairs in the Railway Mail Service would fit them to occupy such positions. They might also be made eligible for appointment in many instances as postal clerks. As such appointments in the larger offices are not confined to applicants residing in the city where the post office is located, there ought to be no prejudice and no objection to the appointment as assistant postmasters of injured railway mail clerks who are nonresidents, provided only that they are residents of the State in which such post office is located.

As proof of the hardship suffered by railway mail clerks who have been injured in the service and incapacitated from further continuing as such clerks, I wish to append as part of these remarks a letter from Mr. N. W. Borden, a resident of this city, giving his suggestions as to what he considered as appropriate relief and his statement of service, and also a statement of Mr. C. L. Hughes, an ex-clerk, who was also injured in the service:

1202 C STREET NE.,  
Washington, D. C., March 5, 1912.

HON. JOHN J. ESCH,  
Washington, D. C.

MY DEAR SIR: Yours of the 29th last, concerning certain proposed legislation for the benefit of injured railway mail clerks, to hand. Am glad to know that you are a friend of the Railway Mail Service clerks and that you are in a position to appreciate to such a large extent the peculiar conditions in this branch of the service, and that you so willingly offer your services to bring about such legislation that will benefit clerks who are or who may be injured.

Yes; I think that it is imperative that some law be passed that will provide a means of protection for injured Railway Mail Service clerks, and I hope that you will believe that I am not saying this purely through selfish motives. As I am out of the service now, I am quite willing that my case be exploited and used as an example, if by so doing it will help to secure the legislation that is needed, and thereby be of benefit to clerks who may be injured in the future. Not only is legislation of this kind urgent because most clerks need assistance when injured, but because it is simply a matter of right and justice that the Government should, as an employer, give due and adequate consideration to the problem of taking care of those who are injured in its service. We all know that private concerns on every hand are meeting this problem in ways beneficial to the injured employee. Is there any sound reason why the Government should not do as much? The soldier is well taken care of in consideration of the fact that he has exposed himself to bodily danger while in the service of the Government. The Railway Mail Service clerk is in a more hazardous occupation than the soldier, for he is in constant danger, while the soldier is in danger only in times of war. But when the clerk suffers the loss of an arm or leg or other severe injuries he is given no civil-service preference, nor is he retired on a pension and given a home that is maintained at the expense of his employer. On the other hand, he is politely told that his place will have to be filled, and as he is unable to return to road duty the only alternative is for him to resign in order to keep from being fired. Of course, the fact that a clerk is compelled to go out into the world to look for a new job with the double handicap of being a cripple and being wholly untrained for any other line of work is not taken into consideration by his employer, for apparently all he is concerned about is having the place filled.

This is a succinct statement of the plight of the injured Railway Mail Service clerk, and taken in consideration with the fact that his position draws upon his physical and mental resources to such an extent as is equalled in few vocations, I firmly believe that these men deserve more generous treatment at the hands of the Government and that Congress should try to do away with this hardship.

As to proposed legislation I beg to submit the following suggestions as requested:

1. That all railway mail clerks injured while on duty and who at the expiration of one year from the time they are injured are still physically unable to return to duty, be given an additional year's leave of absence with pay at the rate of one-half of their former annual salary.
2. That where the clerk sustains such injuries that will not permit him to return to duty at the expiration of the two years' leave of absence, that then such clerk shall be given preference for some other civil service appointment without further examination.
3. Such preference shall consist in the placing of the name of the injured Railway Mail Service clerk at the top of the eligible list for appointment in such branch of the Post Office Department as will offer him a place that he is both physically and mentally able to fill.
4. That such injured Railway Mail Service clerk shall be eligible for the position of assistant postmaster in any office and in any State regardless of where his legal residence may happen to be.
5. That in all cases where Railway Mail Service clerks are permanently incapacitated, they be made secure in their employment by being transferred to some other branch of the Post Office Department where they will be physically able to do the work assigned.
6. That where a clerk is so completely incapacitated as to render him wholly unfit for any manner of service, that he be retired after the

expiration of one year from the date of his injuries, and at the rate of 65 per cent of his former salary.

Thanking you for the interest that you have manifested in this matter and hoping that you may be successful in securing the desired legislation, I remain,

Yours, very truly,

N. W. BORDEN.

I am at your command if I can be of further service to you.

STATEMENT OF C. L. HUGHES, INJURED IN LINE OF DUTY IN NASHVILLE AND MONTGOMERY RAILWAY POST OFFICE.

Appointed to the Railway Mail Service August 4, 1891, at the age of 21 years.

In July, 1893, severely injured in a collision with wild cars near Dera, Tenn. A severe wound received in left groin from an iron bar which was driven into it; also injured in back.

In May, 1902, was injured in a derailment at Oxmoor, Ala., caused by broken switch point. Mail car totally destroyed. Severe bruises and spine injury resulted.

In April, 1905, injured in a derailment at Lynnville, Tenn., caused by running into a flour mill. Mail car totally destroyed. Injuries resulted as follows: Left side of skull crushed, left arm and eye injured, neck driven full of splinters, upper lip cut through. Unconscious for several days. Spine was so badly injured that a brace has to be worn for support; can walk but little and with great difficulty.

These injuries have caused locomotor ataxia, with the usual accompanying pain and suffering. Being unable for further road duty, was in March, 1906, reduced from class 5 to class 3, with a reduction in salary of \$400 per annum, and assigned as transfer clerk, Tennessee Central Depot, Nashville, Tenn. This latter position has since been ordered abolished by the Inspection Division, and I am dropped after 15 years' service.

STATEMENT OF H. W. BORDEN, INJURED IN LINE OF DUTY.

I entered the Postal Service in the fall of 1901, and, with the exception of the time that I was compelled to lay off on account of injuries received in accidents while on duty, I have performed regular service.

The first serious accident that I was in occurred on February 14, 1903, at Ravensworth, Va. On account of injuries received in this accident I was compelled to lay off some five or six months. On May 30, 1910, at Sycamore, Va., I was again very seriously injured, from the effects of which I have not as yet fully recovered. In addition to many severe wounds and bruises, I sustained double sacro-iliac dislocation and injured hip, which has and is still causing me to use support in the way of crutch and cane while walking or standing. About 18 months after I met with this accident I was given notice by the department I would have to return to road duty or resign, so that my place could be filled. So by not being physically able to return to road duty, I was forced out of the service. I must say that rooting is rather bad when one is untrained and physically handicapped. As I was unconscious at the time, I am unable to give you any detailed description of the accident or wrecked car. The car must have been of an inferior type, for all of the 10 clerks on duty were more or less injured, and I am told that the car was completely demolished.

Next to the importance of legislation to prevent, as far as possible, such disastrous accidents and resultant injuries, the question to provide at least partial relief for those who may suffer a similar fate in the future is decidedly important.

Mr. MADDEN. If the gentleman will allow me—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word for the purpose of making a statement. I may say for the information of the gentleman from Wisconsin and members of the committee that the Committee on the Post Office and Post Roads, while they had this bill under consideration, in the examination of the Second Assistant Postmaster General went fully into the question cited by the gentleman from Wisconsin, not as to these particular cases, but there was a statement of the Second Assistant Postmaster General to the committee that the department invariably provided places for men who were injured in the service, and it is the understanding of the committee that provision is always made; that the department not only has the power, but it exercises that power; and I assume that if these gentlemen who are referred to by the gentleman from Wisconsin would have their cases called to the attention of the Post Office authorities some provision would be made for them, and I may say that every member of the committee on the Post Office and Post Roads would be glad to help intercede with the Post Office Department for them. If I thought, as a member of the committee, that the department had not the power and did not exercise the power it had, I would be one of the first men, and I think every man on the committee would be glad, to have some provision put in the bill requiring that provision should be made for such men as those referred to by the gentleman from Wisconsin [Mr. Esch].

Mr. ESCH. What would the gentleman think of this suggestion, of permitting these men so injured in the service to be placed on an eligible register so they could be given some preference in the matter of appointment?

Mr. MADDEN. I wish they could.

Mr. ESCH. And should not they in fact be made eligible to appointment as assistant postmasters, they now being under the civil service?

Mr. MADDEN. Or watchmen or anything.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

Mr. COOPER. Mr. Chairman, I move to strike out the last two words. I agree cordially with what my colleague [Mr. Esch] has said, but, in my judgment, the proposition embodied

in this bill does not go far enough. There ought to be a Federal employee compensation law which would, when necessary, take care of employees disabled in the public service for a much longer time than one or two years. Nor will the suggestions made by gentlemen as to the eligible list suffice to meet the injuries suffered by Government employees—especially postal clerks—in the discharge of their duties. Suppose a postal clerk, like one I knew, to be injured in a railroad wreck, paralyzed from his hips down, of what avail would it be to him to have Congress provide that his name can be put on an eligible list? Eligible list for what? He is helpless. We need a compensation law which shall provide during their lives for Federal employees permanently injured while in discharge of duty.

Mr. NYE. Will the gentleman permit a suggestion?

Mr. COOPER. Certainly.

Mr. NYE. I am glad to inform the gentleman that the Committee on the Judiciary already within the last week has reported a Government civil employees' bill, with a schedule of compensation copied from the Brantley employers' liability bill.

Mr. COOPER. I am pleased to hear that from my friend, the gentleman from Minnesota, and in connection with his statement I desire to say that a few days ago, in another legislative body, a distinguished gentleman said that he hoped the Government of the United States would enact a Federal employees' compensation law "within the next year or two." "Within the next year or two!" Those were his words. Why wait a year or two? Why wait at all?

The time to pass it is now. Germany has such a law. So have the other civilized countries around the world, and it is the duty of Congress to enact one without delay. In my judgment, there is no more important measure that the Committee on Rules could by special rule bring to the attention of the House, with a demand for its immediate consideration, than would be a bill properly caring for the men and women injured while on duty in the employ of the Government of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER. No class of employees are in more hazardous employment than are the postal clerks. As my colleague [Mr. Esch] has said, they run as great a risk as do the men in the Army or Navy; indeed they run more risk than does the average man who enlists either in the Army or the Navy.

Mr. FOWLER. Mr. Chairman—

Mr. COOPER. They face death every day—

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. COOPER. Just one moment—and if a man be crippled for life in that service it does not become the Government to offer to him his pay for one year, with a proviso that in no event can he have pay for more than two years, though he be forever hopelessly disabled.

One of the things the Committee on Rules might well do without delay is to bring in the bill mentioned by my friend from Minnesota [Mr. NYE]—the Federal-employee compensation bill—with a rule calling for its prompt consideration. The House will pass it, send it to the Senate, and learn whether that body will delay its enactment into law for a year or two.

Mr. HOWLAND and Mr. FOWLER rose.

Mr. COOPER. I will yield first to the gentleman from Ohio [Mr. HOWLAND].

Mr. HOWLAND. Mr. Speaker, I was about to ask the gentleman from Wisconsin to yield to me to make a statement. In that connection I want to say to the gentleman that the Judiciary Committee, as the gentleman from Minnesota [Mr. NYE] has just said, has reported out a bill which, I think, complies in every respect with the position taken by the gentleman from Wisconsin. And I want to say in that connection that we have the assurance of the chairman of the Judiciary Committee that they propose to make application to the Committee on Rules for a special rule in order to bring this matter before the House for consideration in the immediate future.

Mr. COOPER. I am very glad, indeed, to hear the statement of the gentleman from Ohio [Mr. HOWLAND].

Mr. MANN. Does the gentleman think that is more important than the compensation act which is in both bodies now?

Mr. COOPER. I now yield to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Speaker, I desire to ask the gentleman from Wisconsin if he would not by law provide for the unfortunate men in the Railway Mail Service whose arduous

duties for long hours have caused them to lose their minds and become insane?

Mr. DYER. What are the hours, I will ask the gentleman?

Mr. FOWLER. Some of them work as long as 17 hours in succession. I propose to speak on this question before we get through with this bill.

Mr. COOPER. It is a little difficult to answer that question by yes or no. The relation of cause and effect is more difficult to establish—I am speaking of the alleged injury—when the claim is that employment has caused insanity than where, for example, a car wheel has run over a man's leg and cut it off.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. COOPER] has expired.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Tennessee [Mr. Moon] that it is pretty late in the day, and it is Saturday.

Mr. GOOD. I would suggest to the gentleman that I only want to get a little information from the chairman of the committee before we adjourn. I would like to have the attention of the chairman, if I may. Last year, in the hearings, there was included a statement made on the 17th of January, 1911, by the Second Assistant Postmaster General to the Postmaster General, certifying the number of men employed as railway postal clerks as 14,483. He also certified the number who worked five hours a day, those who worked from five and a half to six hours a day, those who worked from six hours to six and one-half hours a day, those who worked from six and one-half hours to seven hours, from seven hours to seven and one-half hours, from seven and one-half to eight hours, and from eight hours to eight and one-half hours, and nine hours, and also those working more than nine hours. I would like to know if there is any information in the hearings of the condition of the railway post-office clerks as to hours the clerks are now required to labor. I would like to ask the gentleman whether there is any information in respect to this matter?

Mr. MOON of Tennessee. I do not think the hours of labor were ever fully defined. There are about 16,500 laborers now.

Mr. GOOD. I would like to ask the gentleman if he would be perfectly willing that information of this kind from the Second Assistant Postmaster General should be procured through his committee?

Mr. MOON of Tennessee. I would like any information he may see fit to give us. The gentleman can obtain that information, if he desires it, from the department. I have no objection to any accommodation to the gentleman in that the department make a detailed statement if he desires it.

Mr. GOOD. If a resolution requesting the information is introduced, the gentleman would not make any objection to its going to the department?

Mr. MOON of Tennessee. There is no use of doing that. They will respond to any inquiries.

Mr. ROUSE. Mr. Chairman and gentlemen of the committee, this bill as reported to the House carries an appropriation of nearly \$260,000,000, the largest amount carried by any of the appropriation bills. Upon first glance and without thought it does not appear that the committee considered the plan of economy, yet economy was considered by the committee, and this bill in effect only makes a loan for the benefit of every inhabitant of the United States and its possessions.

The Post Office Department is the only department of the Government that has a return for the large appropriation, and on account of the increased amount of business this department is practically self-sustaining and within another year the receipts will exceed the expenditure, and then we can look to the early passage of an act that will give to the people of the United States 1-cent postage on first-class matter.

I am heartily in favor of the bill as reported and gladly support same in its entirety.

Mr. Chairman, I am in favor of economy in every branch of this Government, and my votes will support this statement. When the Democrats caucused on the proposition of public buildings and battleships, I voted against both proposed bills. I am informed that the Government is now nearly three years behind with the work that has been arranged for by previous appropriations for public buildings, and I did not see the necessity of appropriating about \$16,000,000 for public buildings when that work could not be done for about three years, and during the intervening time circumstances might change to such an extent that an appropriation might be unwise. However, at the expiration of the three years the Treasury may be in a better condition than it is at this time for such an expenditure of the public funds.

My vote against the battleship proposition was cast on the same ground; the Government to-day is nearly two years be-

hind with their contracts for battleships, the appropriation for same having been made during the two previous Congresses.

I would much rather favor an increased appropriation for the benefit of the mail service of the United States than for public buildings or battleships at this time. No branch of the Government comes as close to the people as does the Post Office Department. The difference is great between the appropriation provided for by this bill and the proposed one for public buildings and battleships. This appropriation is for the promotion of business and the general welfare of the whole country and the amount is returned to the Treasury. The construction of public buildings and battleships necessitates a constant expenditure of money, there is no return, and after a few years all that is left is remembrance.

Mr. Chairman, the mail men are the ones who reach every home of our Union, and they should be favorably considered by the committee that makes provision for their salary. The Post Office Committee has labored hard to provide legislation that will relieve the employees of the post office of the many burdens that they are forced to undergo. In some instances the employees of the post office in cities of the first and second class have been called to work at most any hour of the day or night. Under the Reilly bill the hours of labor are defined, and the employees can not be required to labor more than 8 hours in 10 of any 24. This bill also provides for the promotion of 75 per cent of the clerks and letter carriers of first-class offices from the fifth to the sixth grade, and for the promotion of clerks and carriers of second-class offices from the fourth to the fifth grade, giving to them the promotion they have so long deserved.

The eight-hour system is in vogue in almost every department of the Government and should be adopted in the Post Office Department and in every branch. The mail clerks are supposed to labor on that basis, and are also supposed to have allotted to them sufficient time for the purpose of preparation. This has not been allotted nor has the department defined the hours of labor and preparation. The mail clerks are required to study more than any other employees of the Government; their routes are constantly changing; they are required to keep posted as to new offices, the discontinuance of old offices, and the change of routes, especially when rural routes are established and old offices are discontinued, and in some cases the entire route of the mail is changed, and this makes it absolutely necessary for the mail clerk to keep in constant study. The department should define the hours allotted to him for the preparation and make it sufficiently ample. Mr. Chairman, this bill makes provision for a reclassification for the Railway Mail Service; it carries with it additional grades; these are the men who work in the most hazardous place of all the Government employees, and are certainly entitled to the promotions that are provided for in this reclassification. There should not be a dissenting vote to this provision, and if any Member of the House is in doubt, he should lose no time in riding for a distance in one of the large mail cars and inform himself of the danger and hard work that is the lot of the mail clerk. I avail myself of the opportunity of riding in the mail cars frequently, and every time I am enlightened and realize the danger that confronts these noble men, and am more convinced that the reclassification and promotion that is provided for in this bill is more than justified.

This bill makes provision for a parcel post to begin on rural routes and intermediate points on these routes. This is the first step toward raising the limit of weight on packages and parcels up to and including 11 pounds that can be sent through the mails. All of the membership of this House, I dare say, has received many petitions for the parcel post, and I suppose many of us have received an equal number of protests against the inauguration of this system. It is my opinion that if the provision of this bill seeking to establish the parcel post on rural routes becomes a law that it will meet the universal satisfaction—the farmer, the rural citizen, the merchant will all be benefited. We have at this time in the rural district the telephone, and it reaches most every part of the country district. Most all of these telephones are so connected that any person living in the rural district can be connected with any merchant in his or adjoining county, and by the use of the telephone and rural routes the country citizen is practically living in the city so far as the convenience in having his goods delivered.

Some of us have received protests against the parcel post from the merchant that this is class legislation and discriminates against him and in favor of the large mail-order houses; but, on the contrary, this bill will work to his advantage, and I venture the opinion that within a year after this system is inaugurated the country merchant will be one of the greatest advocates of the parcel post in the United States.

When this bill becomes a law, the amount of fourth-class matter that will be handled by the star and rural carriers will be so immensely increased that it will be necessary to make provisions for an increased appropriation to compensate the star and rural carriers for the increased labor that will fall to their lot. This can easily be done without a drain upon the Treasury, as the department at present yields nearly a sufficient amount to meet the appropriation.

Mr. Chairman, all of us are familiar with what is known as the "gag rule"; the officers of the Government, the employees of every department are by this rule denied that right which is given them by the Constitution. Last year I introduced a bill in the House and it was referred to the Committee on Reform in the Civil Service. This bill sought to regulate the orders of the executive department of the Government, and provided—

that no executive department of the Government shall issue any order which denies any officer or employee of the United States of every description, serving in or under any of the executive departments of the Government, the right, either directly or indirectly, individually or through associations, to solicit an increase of salary or to influence or attempt to influence any legislation whatever, either before Congress or its committees, and any order heretofore made to the contrary shall be null and void after the passage of this act.

This bill was for the purpose of placing all employees on the same footing with all American citizens and giving to these employees the right of free speech and petition—that which has been taken from them and denied to them by the orders which have been issued by the several departments and which has been more strictly enforced by the post-office authorities. Section 6 of this bill provides that no person in the classified service employed in the postal service shall be removed therefrom except for such cause as will promote the efficiency of the service and for reasons given in writing, and the person whose removal is sought shall have notice of same and of any charges preferred against him and be furnished with a copy thereof, and is also allowed a reasonable time for personally answering the charges. This bill also gives to the employees the right of membership in societies, associations, and clubs having for their object the improvement in the labor of its members, including the hours of labor, compensation, and leave of absence; it gives to them the right to present their grievances to Congress or any Member thereof, and should any employee avail himself of this opportunity it shall not be cause for a reduction in rank, compensation, or removal from the service. This provision simply places all employees on the same footing with all other American citizens, which should never have been otherwise, and restores to them the rights guaranteed by the Constitution.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For actual and necessary expenses, division superintendents, assistant division superintendents, and chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$60,000; Provided, That of this sum \$15,000 shall be immediately available.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to suggest to the gentleman from Tennessee [Mr. Moon] that it is Saturday night, or soon will be, and—

Mr. MOON of Tennessee. Oh, well, Mr. Chairman, I know what the gentleman is going to say. [Laughter.] I will relieve him. I move that the committee do now rise.

Mr. HAUGEN. Mr. Chairman, pending that motion, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. REILLY. Mr. Chairman, I also ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Connecticut [Mr. REILLY] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. Sisson having assumed the chair as Speaker pro tempore, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 21279) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, and had come to no resolution thereon.

#### HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill 18336, granting pensions and increase of pensions to certain soldiers and sailors

of the Civil War and certain widows and dependent children of soldiers and sailors of said war, with Senate amendments; to the Committee on Invalid Pensions.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 16306. To provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war;

H. R. 19638. An act to authorize the San Antonio, Rockport & Mexican Railway Co. to construct a bridge across the Morris and Cummings Channel;

H. R. 20117. An act to authorize the Nebraska-Iowa Interstate Bridge Co. to construct a bridge across the Missouri River near Bellevue, Nebr.; and

H. R. 21821. An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa.

#### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3175. An act to regulate the immigration of aliens to and the residence of aliens in the United States; to the Committee on Immigration and Naturalization.

#### ADJOURNMENT.

Mr. MOON of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Sunday, April 21, 1912, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Unity Church, of Giles County, Tenn., v. The United States (H. Doc. No. 709); to the Committee on War Claims and ordered to be printed.

2. A letter from the Secretary of the Treasury, calling attention to H. R. 16820, a bill to revive right of action under captured and abandoned property act, etc., and recommending that section 4 be stricken from the bill (H. Doc. No. 708); to the Committee on War Claims and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARTER, from the Committee on Indian Affairs, to which was referred the bill (S. 4753) to amend an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906 (34 Stat. L. p. 137), reported the same without amendment, accompanied by a report (No. 573), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Pennsylvania, from the Committee on Labor, to which was referred the bill (H. R. 22913) to create a department of labor, reported the same with amendment, accompanied by a report (No. 575), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LONGWORTH, from the Committee on Ways and Means, to which was referred the bill (S. 2228) to establish Ashtabula, Ohio, a subport of entry in the customs-collection district of Cuyahoga, Ohio, and for other purposes, reported the same without amendment, accompanied by a report (No. 577), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the bill (H. R. 20995) granting to the civilian employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment, reported the same with amendment, accompanied by a report (No. 578), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FOSTER, from the Committee on Mines and Mining, to which was referred the bill (H. R. 22080) to establish a mining experiment station at Auburn, Placer County, Cal., to aid in

the development of mineral resources of the United States and to undertake any investigation or operation for the health and safety of persons employed in mining, quarrying, metallurgical, and other mineral industries, and for other purposes, reported the same without amendment, accompanied by a report (No. 583), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOBECK, from the Committee on the District of Columbia, to which was referred the bill (H. R. 22648) to authorize a change in the location of Fourteenth Street NE., in the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 579), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 15357) to regulate radio communication, reported the same with amendment, accompanied by a report (No. 582), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 22006) authorizing the Choctawhatchee River Light & Power Co. to erect a dam across the Choctawhatchee River in Dale County, Ala., reported the same without amendment, accompanied by a report (No. 576), which said bill and report were referred to the House Calendar.

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution (H. J. Res. 297) to provide for an international agreement to establish lane routes for trans-Atlantic steamships, reported the same without amendment, accompanied by a report (No. 580), which said bill and report were referred to the House Calendar.

Mr. MALBY, from the Special Committee to Investigate the American Sugar Refining Co., submitted a supplementary report (H. Rept. 331, pt. 2), which was ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FERRIS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 16720) authorizing the Secretary of the Interior to pay J. H. Schmidt \$75 damages for trespass of certain Indian school cattle at Rainey Mountain School in Oklahoma, reported the same without amendment, accompanied by a report (No. 574), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MORRISON: A bill (H. R. 23568) to amend section 55 of "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. MOORE of Pennsylvania: A bill (H. R. 23569) forbidding clearance papers to vessels not equipped with adequate lifeboats; to the Committee on the Merchant Marine and Fisheries.

By Mr. BULKLEY: A bill (H. R. 23570) to authorize the coinage of 3-cent pieces and one-half cent pieces, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. AUSTIN: A bill (H. R. 23571) authorizing and permitting Clinch River Power Co., its successors and assigns, to build and maintain a dam and a water-power development in and across Clinch River in Anderson County, State of Tennessee; to the Committee on Rivers and Harbors.

By Mr. KONIG: A bill (H. R. 23572) authorizing the Secretary of Commerce and Labor to suspend the operation of the laws regulating immigration of aliens in certain cases; to the Committee on Immigration and Naturalization.

By Mr. HELGESEN: A bill (H. R. 23573) providing additional funds for the erection of a public building at Minot, N. Dak.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 23574) authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal.; to the Committee on the Public Lands.

By Mr. CURRIER: A bill (H. R. 23575) to amend section 4920 of the Revised Statutes of the United States relating to patents; to the Committee on Patents.

By Mr. THAYER: A bill (H. R. 23576) to amend an act entitled "An act providing for publicity of contributions made for

the purpose of influencing elections at which Representatives in Congress are elected," as amended by "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected, and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States, and limiting the amount of campaign expenses," and extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, and limiting the amount of campaign expenses; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. DYER: A bill (H. R. 23577) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on the Public Lands.

By Mr. FLOOD of Virginia: A bill (H. R. 23578) to provide for the bringing of suits against the United States by Virginia, West Virginia, Kentucky, Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, New York, North Carolina, and Rhode Island; to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 23579) for the erection of a statue in memory of the heroes of the *Titanic*; to the Committee on the Library.

By Mr. DYER: A bill (H. R. 23580) to provide for the examination, determination, and certification by the Interstate Commerce Commission as to the competency of roadmasters, foremen, and other employees of common carriers by railroad, subject to the act to regulate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of Pennsylvania: A bill (H. R. 23581) to provide for cooperation with the States in promoting instruction in agriculture, the trades and industries, and home economics in secondary schools; in preparing teachers for these vocational subjects in State colleges of agriculture and the mechanic arts, in State normal schools, and in other training schools for teachers supported and controlled by the public; in maintaining extension departments of State colleges of agriculture and the mechanic arts; in maintaining branches of State experiment stations; and to appropriate money and regulate its expenditure; to the Committee on Agriculture.

By Mr. STEPHENS of Texas: A bill (H. R. 23582) providing for the lease of the public grazing lands in the arid States and Territories of the United States; to the Committee on the Public Lands.

By Mr. FRENCH: A bill (H. R. 23583) to amend section 5 of an act to authorize advances to the reclamation fund and for the use and disposition of certificates of indebtedness in reimbursement therefor, and for other purposes, approved June 25, 1910; to the Committee on Irrigation of Arid Lands.

By Mr. PUJO: Resolution (H. Res. 502) to amend House resolution 429; to the Committee on Rules.

By Mr. BLACKMON: Joint resolution (H. J. Res. 302) authorizing and directing the Secretary of War to accept the title to 4,000 acres of land at or near Anniston, Ala., for the purpose of establishing maneuver camps, rifle and artillery ranges, etc.; to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: Joint resolution (H. J. Res. 303) authorizing and directing the Secretary of State to arrange an international conference for the protection of human life at sea; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 304) authorizing the American representatives to the Twelfth Congress of the Permanent International Association of Navigation Congresses to invite a discussion by the international body of the necessity for the establishment of aids to navigation at sea; to the Committee on Foreign Affairs.

By Mr. BUTLER: Joint resolution (H. J. Res. 305) to establish an international patrol in the North Atlantic Ocean, and to provide a system of warnings to vessels of danger from ice movement; to the Committee on the Merchant Marine and Fisheries.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 23584) granting an increase of pension to John W. Hill; to the Committee on Invalid Pensions.

By Mr. AKIN of New York: A bill (H. R. 23585) for the relief of Albert Chappel; to the Committee on Military Affairs.

Also, a bill (H. R. 23586) granting a pension to Mrs. Matthew Shannon; to the Committee on Pensions.

By Mr. AUSTIN: A bill (H. R. 23587) for the relief of Irvin Banks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23588) granting an increase of pension to V. G. Farnham; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 23589) for the relief of Catherine Grace; to the Committee on Claims.

By Mr. BURKE of Wisconsin: A bill (H. R. 23590) granting a pension to Mary Schwindling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23591) granting an increase of pension to Jeremiah Kelly; to the Committee on Invalid Pensions.

By Mr. BYRNES of South Carolina: A bill (H. R. 23592) for the relief of St. John Baptist Church, of Bamberg County, S. C.; to the Committee on War Claims.

By Mr. CARY: A bill (H. R. 23593) granting a pension to Thomas McCarthy; to the Committee on Pensions.

Also, a bill (H. R. 23594) for the relief of Martin Rosenberg; to the Committee on Military Affairs.

By Mr. CATLIN: A bill (H. R. 23595) granting an increase of pension to Charles G. Sanders; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 23596) granting a pension to Thomas Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23597) granting a pension to Marion Chambers; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 23598) granting a pension to Mary E. Barber; to the Committee on Pensions.

By Mr. DICKINSON: A bill (H. R. 23599) for the relief of the heirs of Joseph F. Brooks, deceased; to the Committee on War Claims.

By Mr. DODDS: A bill (H. R. 23600) granting a pension to Emma Rose; to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 23601) for the relief of William H. Blades; to the Committee on War Claims.

By Mr. GOEKE: A bill (H. R. 23602) granting an increase of pension to James H. Williamson; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 23603) granting an increase of pension to James P. Hubbell; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 23604) for the relief of Frank D. Courtrade; to the Committee on the Public Lands.

By Mr. KNOWLAND: A bill (H. R. 23605) granting a pension to John F. Crowley; to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 23606) granting an increase of pension to Henry Sheets; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 23607) for the relief of David Stevenson; to the Committee on Military Affairs.

Also, a bill (H. R. 23608) granting an increase of pension to George R. Latham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23609) granting an increase of pension to Norval Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23610) granting an increase of pension to George W. Arbogast; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23611) granting an increase of pension to Jarrett E. Burgess; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23612) granting a pension to Isaac N. Marrow; to the Committee on Pensions.

By Mr. LOUD: A bill (H. R. 23613) granting an increase of pension to James Johnston; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 23614) granting a pension to Edwin N. Melton; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 23615) for the relief of J. B. King, administrator of the estate of C. L. King, deceased; to the Committee on War Claims.

By Mr. MORRISON: A bill (H. R. 23616) for the relief of Frank T. Green; to the Committee on War Claims.

By Mr. MURRAY: A bill (H. R. 23617) granting a pension to Arthur T. Whipple; to the Committee on Pensions.

By Mr. NEELEY: A bill (H. R. 23618) granting a pension to Homer C. Putnam; to the Committee on Pensions.

By Mr. PROUTY: A bill (H. R. 23619) granting an increase of pension to George W. Barrackman; to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 23620) granting a pension to Wilhelmina Walbrochl; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 23621) for the relief of the heirs and legal representatives of A. M. Rayburn, deceased; to the Committee on Claims.

By Mr. TAGGART: A bill (H. R. 23622) granting a pension to Robert Berry; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 23623) for the relief of homestead entrymen in eastern Colorado; to the Committee on the Public Lands.

By Mr. WHITE: A bill (H. R. 23624) granting a pension to Clara Gillespy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23625) granting an increase of pension to Jesse Enoch; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of L. Houseman, jr., & Son, of Fincastle, Va., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of the common council of the town of Nome, Alaska, for amending the municipal incorporation act for the District of Alaska; to the Committee on the Territories.

By Mr. AIKEN of South Carolina: Petitions of Woman's Christian Temperance Union and churches in the State of South Carolina, for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. ALEXANDER: Petition of Isaac M. Neff and other citizens of Harrison County, Mo., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of H. F. Showman and 2 others, of Newark, Ohio, against the enactment of proposed interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. BOWMAN: Memorial of the Pennsylvania State Council of the National Civic Federation, for extending an invitation to the International Congress of Social Insurance to meet in the city of Washington, etc.; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Petition of Prof. George C. Shults and 26 other members of the faculty of the State Normal School at Whitewater, Wis., favoring passage of House bill 21490, encouraging instruction in agriculture, etc.; to the Committee on Agriculture.

By Mr. BYRNES of South Carolina: Petition of the Union Meeting of the Third Division of the Edgefield Association of Murdock Kims, favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. CALDER: Petition of Woodruff Leeming, of New York City, protesting against legislation to deprive patent-right owners of the right to affix the selling price of the patented article; to the Committee on Patents.

Also, petition of Camp No. 84, Department of New York, United Spanish War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

Also, petition of Fred Kauffmann, of Chicago, Ill., protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of Corbin Sons & Co., of Chicago, Ill., relative to House bill 4667; to the Committee on Interstate and Foreign Commerce.

Also, petition of Frank B. Marsh, of New York City, for enactment of House bill 19133; to the Committee on Interstate and Foreign Commerce.

Also, petition of Manufacturers & Merchants' League of Virginia, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Charles Vogt, jr., of New York City, for enactment of House bill 22766; to the Committee on Ways and Means.

Also, petition of the Staten Island Chamber of Commerce, for legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Central New York Society for the Prevention of Cruelty to Animals, the Cayuga County Society for the Prevention of Cruelty to Animals, and Augusta Leebich, West Pennsylvania Society for the Prevention of Cruelty to Animals, for enactment of House bill 17222; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Petition of the faculty of the State normal school at Whitewater, Wis., favoring House bill 21490; to the Committee on Agriculture.

By Mr. DAUGHERTY: Petition of citizens of the State of Missouri, favoring passage of Berger old-age pension bill; to the Committee on Pensions.

By Mr. DAVENPORT: Papers to accompany bill granting a pension to Mary E. Barber; to the Committee on Pensions.

By Mr. DODDS: Petition of voters of Big Rapids, county of Mecosta, State of Michigan, favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DYER: Petition of A. Hussey Leaf Tobacco Co., of St. Louis, Mo., favoring passage of House bill 22766, for prohibiting use of trading coupons; to the Committee on Interstate and Foreign Commerce.

Also, petition of C. H. Markham, president Illinois Central Railroad, Chicago, Ill., asking for increase in appropriation for levees of Mississippi River; to the Committee on Rivers and Harbors.

By Mr. ESCH: Petition of the Stadtverband, of Milwaukee; the German-American Alliance, the Third Ward Aid Society, and the Concordia Aid Society, of La Crosse; the Germania Maennerchor, of Fond du Lac; and the Concordia Society of Poargor, La Crosse County, Wis., against passage of any interstate liquor law; to the Committee on the Judiciary.

Also, petition of brewing companies in the State of Wisconsin, protesting against legislation prohibiting the retail sale of wine, beer, or liquor in the city of Washington, D. C.; to the Committee on the District of Columbia.

Also, petition of residents of Whitewater, Wis., for enactment of House bill 21490; to the Committee on Agriculture.

By Mr. FULLER: Petition of Dr. B. F. Ward, of Morris, Ill., favoring the passage of House bill 16843, to consolidate the veterinary service in the United States Army, etc.; to the Committee on Military Affairs.

Also, petition of Woman's Christian Temperance Union, of La Salle County, Ill., in favor of the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of Lawsha & Timmins, of Seneca, Ill., favoring the passage of the Townsend bill (H. R. 20595) to amend section 25 of the copyright act of 1909; to the Committee on Patents.

Also, petition of Chamber of Commerce of the State of New York, protesting against proposed legislation relating to closing of Panama Canal to steamship companies in which a railroad has an interest; to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDFOGLE: Petition of Solano County Society for the Prevention of Cruelty to Animals and Children, for enactment of House bill 17222; to the Committee on Interstate and Foreign Commerce.

Also, petition of Fred S. Morse Lumber Co., of Springfield, Mass., for legislation providing for the Government to do the investigating and standardizing, etc., regarding fire insurance; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Farmers' National Committee on Postal Reform, Washington, D. C., favoring passage of House bill 19133, for postal-express law; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Universal Peace Union, Philadelphia, Pa., favoring passage of the bill (H. R. 17222) to regulate interstate transportation of immature calves; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Petition of citizens of Springfield, Ill., against passage of a parcel-post law; to the Committee on the Post Office and Post Roads.

Also, memorial of Local Union No. 999, United Mine Workers of America, of Springfield, Ill., asking that one of the battleships be built in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of the Central Woman's Christian Temperance Union of Springfield, Ill., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HAMMOND: Memorial of Logan Post, No. 162, Grand Army of the Republic, commending provisions of House bill 14070, for relief of veterans whose hearing is defective; to the Committee on Invalid Pensions.

By Mr. HANNA: Petitions of Philip Leibert, of Haynes; A. N. Heckhart, of Hettinger; and Yans Rasmussen, of Kenmare, all in the State of North Dakota, asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of residents of Kulm, N. Dak., for investigation of an alleged combination existing between coal dealers; to the Committee on Rules.

Also, petitions of citizens of the State of North Dakota, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of residents of McIntosh and Stutsman, N. Dak., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of residents of Valley City, N. Dak., for enactment of House bill 4428; to the Committee on Agriculture.

By Mr. HARTMAN: Memorial of Branch No. 20, St. George, in regard to measures relating to Catholic Indian Mission interests; to the Committee on Indian Affairs.

Also, petition of the Providence Grange, No. 1423, Patrons of Husbandry, of Providence West, County of Bedford, State of Pennsylvania, favoring passage of House bill 19133, which provides for a Government system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of the executive council of the California State Federation of Labor, against Senate bill No. 3175, which gives Chinese the right to come to this country unrestricted; to the Committee on Immigration and Naturalization.

Also, petition of T. W. Hobron, G. G. Gormley, Welch & Co., Mrs. K. S. Vesper, J. A. Moore, and J. W. Van Bergen, San Francisco, Cal., submitting amendment relative to water rights at Waianae-Uka, island of Oahu, Hawaii; to the Committee on Insular Affairs.

Also, petition of E. K. Wood Lumber Co., of San Francisco, Cal., against passage of House bill 21100; to the Committee on the Judiciary.

By Mr. KNOWLAND: Petition of citizens of Oakland and vicinity, Cal., urging favorable report on House resolution 220, providing for an investigation touching the practicability of the study of Esperanto as an auxiliary language; to the Committee on Rules.

By Mr. LOUD: Papers to accompany bill for the relief of James Johnston; to the Committee on Invalid Pensions.

By Mr. MANN: Petition of Allyn K. Capron, jr., Camp, No. 6, Department of Illinois, United Spanish War Veterans, favoring passage of House bill 17470, providing for pensions for widows and orphans of soldiers of the Spanish War; to the Committee on Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill for the relief of J. B. King, administrator of C. L. King, deceased; to the Committee on War Claims.

By Mr. MURRAY: Petition of captains of fishing vessels relative to House bill 18788, to amend an act entitled "An act to amend laws for preventing collisions of vessels and to regulate equipment of certain motor boats on the navigable waters of the United States"; to the Committee on the Merchant Marine and Fisheries.

By Mr. NEELEY: Petition of the Church of the Brethren and Friends, of Murdock, Kans., favoring passage of Johnson Sunday-rest bill; to the Committee on the District of Columbia.

Also, petition of the Church of the Brethren and Friends, of Murdock, Kans., for passage of Sims-Lea antigambling bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Church of the Brethren and Friends, of Murdock, Kans., for passage of Kenyon red-light injunction bill; to the Committee on the District of Columbia.

Also, petition of the Church of the Brethren and Friends, of Murdock, Kans., for passage of proposed appropriation for nation-wide enforcement of white-slave law by Attorney General; to the Committee on Appropriations.

Also, petition of the Church of the Brethren and Friends, of Murdock, Kans., for passage of the McCumber bill to shut out Government liquor selling from all ships and buildings by the United States Government; to the Committee on Alcoholic Liquor Traffic.

By Mr. NYE: Memorials of St. Anthony Society, Holy Cross Society, and the Polish Club, of Minneapolis, Minn., against passage of immigration bill requiring educational test; to the Committee on Immigration and Naturalization.

Also, petition of citizens of Lake City, Minn., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Memorial of City Council of Providence, R. I., for legislation or international agreements for regulation of the so-called wireless system; to the Committee on Foreign Affairs.

By Mr. POST: Petition of Conrad Herzig and 1,100 others, of Piqua, Ohio, for old-age pensions; to the Committee on Pensions.

By Mr. RAKER: Memorial of U. S. Grant Council, No. 19, Junior Order United American Mechanics, San Francisco, Cal., against passage of Senate bill 3175; to the Committee on Immigration and Naturalization.

Also, memorial of the Nevada City Chamber of Commerce, of Nevada City, Cal., to accompany House bill 22080; to the Committee on Mines and Mining.

By Mr. REILLY: Petition of the Waterbury Business Men's Association, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of New York: Resolutions of the Polish Unity Paper, Polish Singing Circle, Polish Literal Circle, and the Polish Tailor, of Buffalo, N. Y., against passage of immigration bill requiring educational test; to the Committee on Immigration and Naturalization.

By Mr. SULZER: Petitions of E. M. Schwarz & Co. and José Lovera Co., cigar makers of New York City, protesting against House bill 13988; to the Committee on the Census.

Also, petition of State of Colorado Civil Service Commission, Denver, Colo., favoring passage of House bill 20044, for the improvement of foreign service; to the Committee on Foreign Affairs.

Also, petition of Mendelsohn, Bornemann & Co., of New York, favoring passage of House bill 22766, for prohibiting use of trading coupons; to the Committee on Ways and Means.

By Mr. TILSON: Petition of the Waterbury Business Men's Association, for a rate on letter postage of 1 cent per ounce; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: Petition of the First Church of Christ of Shenandoah, Page County, Iowa, favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. YOUNG of Texas: Petition of George Venner and other citizens of Forney, Tex., against any kind of antiopium bill pertaining to dealing in farm products; to the Committee on Agriculture.

## HOUSE OF REPRESENTATIVES.

SUNDAY, April 21, 1912.

The House met at 12 o'clock noon, and was called to order by Mr. NEELEY, as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou God and Father of us all, in whose changeless, boundless love we have our being, hold us close to Thee that we may feel the warm life-giving currents ever flowing out from Thee, that our faith, hope, and love may be strengthened.

We bless Thy holy name for the words which fell from the lips of the Master: "Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you."

The sands of life run swiftly; we know not when the silver cord shall be loosed, the golden bowl broken. But so long as faith, hope, and love live, so long the immortality of the soul is assured.

I know not where His Islands lift  
Their fronded palms in air;  
I only know I can not drift  
Beyond His love and care.

In this love our souls speed onward to the "Land of the Leal," where we shall dwell with our loved ones forever. Be this our comfort, the hope and comfort of the bereaved wife and children of the deceased Member in whose memory we are assembled, and pæans of praise we will ever give to Thee through Him who died that we might live. Amen.

The SPEAKER pro tempore. The Clerk will read the Journal of the proceedings of yesterday.

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent that the further reading of the Journal be dispensed with.

The SPEAKER pro tempore. Without objection, the Journal will stand approved.

There was no objection.

### THE LATE REPRESENTATIVE MITCHELL.

Mr. CAMPBELL. Mr. Speaker, I offer the resolution which I send to the Clerk's desk and move its adoption.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

#### House resolution 503.

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. ALEXANDER C. MITCHELL, late a Member of the House from the State of Kansas.

*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House, at the conclusion of these exercises, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was unanimously agreed to.

Mr. CAMPBELL. Mr. Speaker, if any other evidences were wanting to show the tragedies there are in life, that evidence could be supplied in the oft repeated meetings of this House to honor the memory of departed Members. Yesterday a Member was in his seat; to-day his desk is covered with a wreath of flowers; to-morrow his seat will be occupied by another. And in the rapid succession of these events ambition is gratified, hope is deferred, and men are forgotten. ALEXANDER

CLARK MITCHELL, in whose memory we are met to-day, was a poor boy. He was one of a family that earned their bread according to the decree entered in the Garden. He knew none of the luxuries of life in his earlier days. His was a life of constant labor, mingled with anxiety as to the future, but always filled with ambition and hope. He was not content to remain a metal worker. After he had reached mature manhood he acquired that education that fitted him for the law and for a useful public career. MITCHELL was a good lawyer. He prepared his cases carefully and tried them exceptionally well. He entered public life as a student of men and events. He served four terms in the Legislature of the State of Kansas and rapidly rose to leadership in that body, a leadership that naturally suggested him for a higher and more useful position. He had an ambition for a seat in this House. Men of ability, of leadership in their community and of ambition, somehow look to the National House of Representatives as a place in which to take a part in their country's work. I violate no confidence when I say that ALEX. MITCHELL had an ambition for many years to occupy a seat in this House and to become one of the leading Representatives in this great body. He was destined to serve here but a few days. That life that he had so trained and directed for usefulness, that ambition that he had at last seen gratified, was to be of but few days' service here.

I think he cast but one vote on an important measure in the House. He appeared upon the floor but a few times. Then he yielded to an illness that had seized him during his campaign for election. That illness grew upon him until finally, on the 7th day of July last, he yielded up the last there was of his life. There was something more than ordinary in his death. He died a death similar to those that we read of in the years that are gone. I can remember as a child that the first question asked of one who died was whether or not he died in the faith, whether he died in the hope of immortality and of heaven. It was rare in my early days that one ever heard the query asked as to how much life insurance a man had or how much property he left. Those were questions that were of minor importance. The question of supreme importance in the hour of a man's death was whether or not he had died fit for the Master's kingdom. During the lingering months of ALEXANDER MITCHELL's illness he meditated much on the hour that was fast approaching when he should bid farewell to everything that was dear in life—family, ambition, place, and all. When the final hour came, MITCHELL called his friends about him and took them by the hand and talked to them of his hope of immortality. He talked to them in the old way in which those who departed this life in the hope of blessed immortality used to talk to their friends. And one after another his friends gathered about him and he took his last words to bid them lead upright, Christian lives and fit themselves for the hour that he was so nearly approaching. He took his farewell of his children and finally of his wife. Death to him was the portal to everlasting life. In his death the community in which he lived had a new baptism in the faith of the fathers. The entire community in which he lived felt a revival of the old-time religious sentiment that taught people to live well that they might die prepared for heaven.

MITCHELL performed well his part in life. It comes to but few men to acquire the distinction that he acquired; and but few men have left the community in which they lived with a more profound esteem of their fellow men than did ALEXANDER C. MITCHELL.

Mr. SLOAN. Mr. Speaker, a Member from Kansas suggested the propriety of a brief tribute from me as a neighbor. Kansas and Nebraska, with contiguous territory, a common history, similar resources, like industries, having much in common politically, their Representatives well may deem themselves neighbors.

As a neighbor, I remember ALEXANDER C. MITCHELL but a few days in the House. We took our seats together. Individual design made us neighbors in the great West. A common ambition brought us here. Chance made us neighbors in the House.

Upon similar solemn occasions Members recite the achievements and extol the ability and character of the deceased. I can not speak of his congressional achievements, because in the morning of his career death claimed him. Against that claim how powerless are friendship, wealth, and position. Obedience must be prompt and implicit. In this it matters not whether the call comes when he is on his couch at home and among friends or out upon the trackless ocean where the high product of naval genius clashes with a harsh fact of nature in the form of a deadly iceberg. His work will be left unfinished and his brethren mourn.